

# NEW YORK STATE LIQUOR AUTHORITY

THIS IS AN APPLICATION FOR ALCOHOLIC BEVERAGE RETAIL LICENSE

It is not necessary to employ any person, agency or organization to assist you in filing this application. Beware of persons claiming to be able to assist you in securing action on your application. The payment of money or other thing of value for the use of influence, or promise of influence in obtaining a license is a violation of law and offenders will be prosecuted.

1.) **APPLICANT NAME** STARJEM LLC ✓  
**TRADE NAME (D/B/A)** FRESCO ON THE GO  
**Premises Street Address** 40 East 52nd Street  
**City, Town or Village** New York  
**County** New York **ZIP** 10022  
**Between what streets** Park and Madison Avenues **Tel. No.** None yet  
**Premises Post Office Address (if different from above)** \_\_\_\_\_

2.) **ATTORNEY/REPRESENTATIVE NAME** ROBERT V. FERRARI  
**Office Address** 300 East 42nd Street  
**City, Town or Village** New York **ZIP** 10017  
**Telephone No.** (212) 972-7040

#460034  
 3.) **Alcoholic Beverage License Class:** on premises liquor **CODE:** 2 5 2

4.) **TOTAL PAYMENT DUE** ..... \$5,400.00

Date filed: 8/21/98 Rm

County Code # \_\_\_\_\_

STATE LIQUOR AUTHORITY action: \_\_\_\_\_

RECEIVED  
 OFFICE USE ONLY

SEP 08 1998

STATE LIQUOR AUTHORITY  
 FILE ROOM 6m.  
 NEW YORK, NY

Approval

Disapproval

SERIAL NUMBER: OP-08460

Assigned To: \_\_\_\_\_

NEW \_\_\_\_\_

NLIE \_\_\_\_\_

APPROVED  
 TRANSFER

CLASS CHANGE \_\_\_\_\_

ZONE: \_\_\_\_\_

COUNTY: \_\_\_\_\_

SERIAL NO: \_\_\_\_\_

CLASS: \_\_\_\_\_

DEPOSIT DATE: \_\_\_\_\_

SLIP NO: \_\_\_\_\_

FEE: \_\_\_\_\_

AUDITED BY: \_\_\_\_\_

# EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

100 WILLIAM STREET • NEW YORK, N.Y. 10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

BOND EXPIRES IN

BOND NUMBER

001--17

X-B12868--00

2001

Penal Sum of Bond

1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we,

Name of Applicant

Address of Place of Business

STARJEM LLC

40 EAST 52ND STREET  
NEW YORK

NY 10022

In the county of **NEW YORK** State of **NEW YORK** as Principal, and  
having an office and usual place of business at

**INSURANCE CO. OF NORTH AMERICA**  
**195 BROADWAY**  
**NEW YORK** **NY 10007**

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 20th day of August,

1998

STARJEM LLC

Principal

L.S.

INSURANCE CO. OF NORTH AMERICA

BY:

*Marion Scott*



APPLICANT MUST SIGN HERE

*John L. Corneau*  
Attorney-in-fact

(OVER)

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

CONDITIONS

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

Name of the applicant

Starjem LLC

Intake Processor

Date

R. Mackey  
8/21/98

**INSTRUCTIONS FOR SUBMITTING APPLICATIONS-CHECK LIST**

- ☒ 1. Personal check or money order made payable to NY State  
Liquor Authority for license fee due at filing \$ \_\_\_\_\_ plus filing fee
- ☒ 2. Application completely filled out (Class and code of license.  
Total fee due, etc.)
- ☒ 3. Penal bond (\$1000) SIGNED by applicant EXPIRING \_\_\_\_\_  
year from date of issuance.
- ☒ 4. NY SLA fingerprint form filled out completely for each applicant  
with a \$50.00 check/money order payable to NY SLA. Must be taken  
by a law enforcement agency (Police Dept., Sheriff, etc.) Indicate  
precinct and badge number of officer taking prints.
- ☒ 5. Interior and exterior photos showing a full view of the rooms, size  
5x7. Grocery stores should reflect the amount of groceries they  
have. Exterior photos should reflect a full view of the front of  
the premises. *need interior see letter*
- ☒ 6. Personal Questionnaire for all applicant principals (stockholders, Etc.)  
each lender or donor.
- OK PM 8/21/98* ☒ 7. Proof of citizenship: Original proof of citizenship must be submitted.  
An attorney's affidavit form may be completed in lieu of the original.  
(Copies of US birth certificates and passports are acceptable.)  
*prev. licensed*
- ☐ 8. All transfer of ownership must submit a contract of sale or  
conveyance. (Temporary permits: Two copies of the contract and 2  
sets of photos plus application fee.)
- ☒ 9. Management/Operating Agreement for LLC and LLP applicants.
- ☐ 10. Copy of current license of premises.

(over)



☒ 11. Affidavit.

☐ 12. Holding Corporation Stipulation. (Green or Pink)

☐ 13. Transfers only: Liquidator Permit Application and \$25.00.  
(Separate check or money order)

☐ 14. Groceries only: Inventory stipulation form

☒ 15. List of expenses for this venture.

**All applicants, except grocery and drug store beer, must submit the additional items shown below.**

☒ 16. Diagram, 8.5 x 11 - Interior and front elevation.

☒ 17. Certificate of Occupancy or acceptable document from the agency in your city, town or village that regulates building occupancy and codes.

☒ 18. Landlord Identification Form.

☒ 19. Executed lease or assignment with landlord's consent in the corporation or applicant's name (whichever is applicable)

☒ 20. Statement of area plan. ☒ 500 Ft. rule affidavit for on premises liquor.

☒ 21. On premises establishment questionnaire.

☒ 22. Proposed method or operation.

☐ 23. Supplementary statement: Summer and Winter licenses.

☐ 24. Liquor store questionnaire. ☐ Package stores: Block diagram.

☒ 25. Notification rider to community board

☒ 26. OP-Hard liquor **ONLY**: Two copies of the letter sent to Comm. Bd., Village or Town Clerk and original mailing receipt (green & white.)

5.) (TO BE FILLED IN ONLY BY INDIVIDUAL OR PARTNERSHIP APPLICANTS)

Name of applicant	Residence	Citizenship	DOB
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6.) TO BE FILLED IN ONLY BY LIMITED LIABILITY COMPANY OR LIMITED LIABILITY PARTNERSHIP  
(See page 2 of the instructions for required documents, such as Management Agreement, etc.)

Name	Member or Manager Position	% of Ownership Interest
MARION SCOTTO ✓	Member	25%
ANTHONY SCOTTO, JR. ✓	Member	25
ELAINA SCOTTO-FAUCETTA ✓	Member	25
ROSANNA SCOTTO ✓	Member	25

NOTE: Paragraph 5 of the operating agreement provides that the Applicant shall be managed by the Members.

7.) TO BE FILLED IN ONLY BY CORPORATION & LLC/LLP APPLICANTS

- (a) State under what law applicant was organized: New York
- (b) Date of organization: April 29, 1998
- (c) **SUBMIT COPIES OF UPDATED CORPORATE KIT! ( or copies of the filing receipt, the minutes showing the election of officers and directors, and all issued and outstanding stock certificates)**
- (d) If applicant is a foreign corporation, has a Certificate of authority been obtained to do business in this state? NO \_\_\_\_\_ YES \_\_\_\_\_
- (e) If YES, date of certificate: \_\_\_\_\_
- (f) Name of principal place of business: STARJEM LLC
- (g) Address of principal place of business: 40 East 52nd Street  
New York, New York 10022
- (h) Number of outstanding shares: \_\_\_\_\_
- (i) List names and addresses of the STOCKHOLDERS, all OFFICERS and DIRECTORS as of the date of filing of this application:

Name of Stockholder/ Officer/Director	Residence	Citizenship	Title	No. of Shares	Birth Date
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_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

## LIST OF EXPENSES FOR THIS VENTURE

All applicants must complete Section B.

Expense Item (Actual or Estimated):

1.	Real Property	\$ _____
2.	Fixtures & Equipment	\$ 197,500.00
3.	Inventory	\$ 25,000.00
4.	Security Deposit	\$ _____
5.	Attorney/Representative Fees	\$ 15,000.00
6.	Operating Capital	\$ 49,456.25
7.	Miscellaneous Expenses	\$ _____
8.	SLA fees	\$ 5,400.00
9.	First Month's Rent and Any Paid to Date	\$ 17,643.75
10.	Renovations	\$ 487,500.00
11.	Goodwill	\$ _____
12.	Other (insurance)	\$ 2,500.00

13. Total Cash \$ 400,000 (Attach verification of **ALL** sources of cash)

14. Total Deferred \$ 400,000  
(Total Deferred includes loans, mortgages, lines of credit, notes, etc. Attach copies of **EACH** source of deferred monies)

Explain in detail how deferred: Loan from North Fork Bank to Starjem LLC

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. **TOTAL COST** \$ 800,000

**\*NOTE:** The amounts in items 1 through 12 must total the amount reflected in item 15.  
The amounts in items 13 and 14 must total the amount reflected in item 15.

8(a) Does applicant occupy said premises under a written lease or option to lease? NO \_\_\_\_\_ YES X

(b) If YES, state name and address of immediate lessor  
& submit a signed copy of lease with all terms. 40 Eastco  
345 Park Avenue  
New York, New York

(c) Do the terms of the lease or other arrangement require payment by the applicant of any consideration based on a percentage of the receipts of the business? NO X YES \_\_\_\_\_

(d) If YES, state percentage and give details: \_\_\_\_\_  
\_\_\_\_\_

9.) Is any license under the Alcohol Beverage Control Law now in effect for the premises for which this application is filed? NO X YES \_\_\_\_\_  
**SUBMIT COPY OF EXISTING LICENSE CERTIFICATE!** (if available, if not, submit affidavit of explanation and the license number)  
(name of current/previous licensee)

10(a) Will any other business of any kind be carried on in said premises? NO X YES \_\_\_\_\_

(b) If YES, provide details: \_\_\_\_\_  
\_\_\_\_\_

11(a) Does any person not an applicant herein, or, if a corporate applicant, any person not an officer, director, or stockholder of such corporation, or any person not reported in questions above, share, or will share on a percentage basis or in any way in the receipts, losses or deficiencies of the business, to any extent whatsoever? NO X YES \_\_\_\_\_

(b) If so, state the names and addresses of such persons, the nature and percent of their share and date acquired.

Name	Address	Stock shares	Date Acquired
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

12(a) Has the applicant or (if a partnership) any of the partners of (if a corporation) any of the officers, directors or stockholders any interest, directly or indirectly, in any premises or business where any alcoholic beverage is manufactured or sold at wholesale or retail, whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans? NO \_\_\_\_\_ YES X

(b) If YES, state the name and addresses of the premises, the license number, the date the interest was acquired and the exact nature of the interest.  
See accompanying Personal Questionnaires.

## STATEMENT OF AREA PLAN

Applicants for ON-PREMISES and LIQUOR STORE licenses must complete Section D.

Are your premises within 200 feet of any School, Church or Place of Worship? NO   X   YES         
If YES, **SUBMIT BLOCK PLOT DIAGRAM** and Complete:

(Indicate the distance in feet from proposed premises) ATTACH ADDITIONAL SHEETS IF NECESSARY

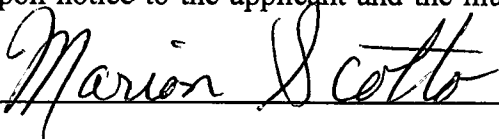
1. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Distance: \_\_\_\_\_
2. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Distance: \_\_\_\_\_
3. Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Distance: \_\_\_\_\_

SECTION M

## 500 FOOT RULE AFFIDAVIT

**Applicants for On-Premises Liquor licenses must complete Section M.**

In the public interest, the provisions of Section 64.7 and 64-a.7 of the ABC Law require the Authority to consult with the municipality or community board prior to granting a license for any on premises liquor license for any premises within five hundred feet of three or more similarly licensed premises. The Authority is further required to conduct a public hearing, upon notice to the applicant and the municipality or the community board.

I, MARION SCOTTO , state that the proposed premises:

**Check the appropriate box.**

<input checked="" type="checkbox"/>	IS within a 500 foot radius of three or more establishments selling liquor for on premises consumption.
<input type="checkbox"/>	IS NOT within a 500 foot radius of three or more establishments selling liquor for on premises consumption.

## LANDLORD IDENTIFICATION QUESTIONNAIRE

**LANDLORD** must complete this section for all applications, EXCEPT Grocery and Drug store Reg.

- 1.) Name of Landlord 40 EASTCO
- 2.) Premises address Portion Street Floor, 40 East 52nd Street, New York, NY 10022  
(Premises to be licensed)
- 3.) Type of ownership:
- |                |          |
|----------------|----------|
| Individual     | _____    |
| Proprietorship | _____    |
| Partnership    | <u>X</u> |
| Corporation    | _____    |

4.) Landlord Principals:

NAME

ADDRESS

See attached rider

5(a) Are any persons listed on this form police officers?

NO X YES \_\_\_\_\_

(b) If YES, list names:

6(a) Are any persons listed on this form currently or previously  
licensed under the ABC law?

NO \_\_\_\_\_ YES \_\_\_\_\_

See attached rider

(b) If YES, list names and license numbers:

Signature of LANDLORD: 

Phone Number: (212) 407-2400

Title:

Partner

**IMPORTANT** - Signature must be same as signature on original lease—if not; furnish either affidavit in explanation, affix legible corporate seal, or submit other proof of signature's authority.

40 EASTCO

**RIDER TO LANDLORD IDENTIFICATION  
NAMES AND ADDRESSES OF PRINCIPALS OF PARTNERSHIP LANDLORD**

Jack Rudin

[REDACTED]

Lewis Rudin

[REDACTED]

Eric C. Rudin

[REDACTED]

Madeleine Rudin Johnson

[REDACTED]

Katherine L. Rudin

[REDACTED]

Beth Rudin DeWoody

[REDACTED]

William C. Rudin

[REDACTED]

Jack and Lewis Rudin, as Executors of the Estate of Samuel Rudin, and Jack and Lewis Rudin, as Trustees of a Trust under the Estate of Samuel Rudin, were previously licensed under the ABC Law as principals under the license no. IRL 26282 at the same premises (41 Madison Avenue, New York, N.Y.)

# ON-PREMISES ESTABLISHMENT QUESTIONNAIRE

All applicants, EXCEPT for Grocery and Drug Store Beer, must complete Section F.

## Neighborhood

- 1.(a) Type of neighborhood? Residential \_\_\_\_\_  
 Business X  
 Shopping Mall \_\_\_\_\_
- (b) Population density: Normal X  
 Congested \_\_\_\_\_  
 Resort \_\_\_\_\_
- (c) Business or residential street? Business
- (d) Is there any local option restriction in this area (Dry, Partially Dry)? NO X YES \_\_\_\_\_
- (e) If so, explain: \_\_\_\_\_

## Premises (exterior)

- 2.(a) Type of building and list number of floors: Office building - twenty three floors
- (b) What was prior occupant of premises? Retail store
- (c) Is view from street clear and unobstructed? NO \_\_\_\_\_ YES X
- (d) If not, state reason: \_\_\_\_\_
- (e) Any outside area or sidewalk cafe used for the sale or consumption of alcoholic beverages? NO \_\_\_\_\_ YES X
- (f) If so, describe: An application for a sidewalk cafe permit will be filed in advance of May, 1999 so as to be obtained in advance of the Spring, 1999 season.
- Submit copy of permit OR letter from Municipality stating that no permit is required for outdoor consumption of alcohol!**

- (g) Are the premises to be licensed divided in any way, by a public or private highway, thoroughfare, passageway, etc., over which applicant does not have an exclusive possession and control? NO X YES \_\_\_\_\_
- (h) If so, describe: \_\_\_\_\_

## Premises (interior)

- 3.(a) On street level? NO \_\_\_\_\_ YES X
- (b) If not, what floor? \_\_\_\_\_
- (c) How many floors do the premises occupy? One
- (d) How many rooms on each floor? Three



- (e) Use of rooms? Dining room, kitchen, bathroom
- (f) How many bathrooms? One (see certification of Marion Scotto submitted with this application)
- (g) If more than one floor what is the access between floors? \_\_\_\_\_
- (h) What is the maximum number of persons that can legally occupy the premises? 75
- (i) Number of tables? 19
- (j) Number of seats at tables? 36 indoor/ 10 outdoor
- (k) Is the interior view unobstructed throughout? Yes
- (l) If not, state reason: \_\_\_\_\_
- (m) Are premises sufficiently illuminated? NO \_\_\_\_\_ YES X
- (n) If booths, how high? \_\_\_\_\_
- (o) Any openings to other parts of the building? NO X YES \_\_\_\_\_
- (p) If so, describe: \_\_\_\_\_

#### Bars

- 4.(a) How many stand-up bars are located on the premises? One
- (b) How many service bars? \_\_\_\_\_
- (c) Describe all bars (length, shape and location): Semi-circular, 14'10" circumference located in rear of restaurant
- (d) Any food counters? NO X YES \_\_\_\_\_
- (e) If so, describe: \_\_\_\_\_

#### Kitchen

- 5.(a) Location and size of kitchen, if any: 375 Square Feet
- (b) Is food available for sale? NO \_\_\_\_\_ YES X
- (c) If so, describe type of food? Italian
- (d) Is a chef employed? NO \_\_\_\_\_ YES X
- (e) What other kitchen help is employed? Pastry cook, pizza person, grill person, pasta cook, sandwich preparer and dishwasher

**Permits**

6.(a) Has premises been issued a Board of Health Permit? Pending  
(If yes, please submit a copy!) NO \_\_\_\_\_ YES \_\_\_\_\_

(b) Does Premises have a valid Certificate of Occupancy? NO \_\_\_\_\_ YES   X  

**Submit copy of permit OR letter from Municipality stating that no Certificate of Occupancy is required!**

(c) Any pool tables? NO   X   YES \_\_\_\_\_

(d) If so, provide number of tables and playing surface dimensions? \_\_\_\_\_

(e) Names of pool table vendor(s)? \_\_\_\_\_

**Hotel**

7.(a) Type of Hotel: Transient \_\_\_\_\_  
Apartment \_\_\_\_\_  
Summer \_\_\_\_\_

(b) Is building used solely as a Hotel? NO \_\_\_\_\_ YES \_\_\_\_\_

(c) Will you conduct catering? NO \_\_\_\_\_ YES \_\_\_\_\_

(d) How many floors? \_\_\_\_\_  
\_\_\_\_\_

(e) How many rooms? \_\_\_\_\_  
\_\_\_\_\_

(f) How many mini bars? \_\_\_\_\_

(g) Describe dining room facilities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## PROPOSED METHOD OF OPERATION

All applicants for a license to sell alcoholic beverage for consumption on-premises must complete section G.

- 1.) What type of establishment will this be? Restaurant  
(ie: restaurant, tavern, disco, etc.) \_\_\_\_\_
- 2.) Will premises have live music? NO X YES \_\_\_\_\_
- 3.) Will premises permit dancing? NO X YES \_\_\_\_\_
- 4.) Will premises have other kinds of entertainment? NO X YES \_\_\_\_\_  
If YES, describe: \_\_\_\_\_

**Provide copies of all applicable permits (ie: live music, entertainment, dancing) from local municipality.**

- 5.) What are the proposed hours of operation? OPEN: 6:30 A.M. CLOSE: 7:00 P.M.
- 6.) Will the business employ a Manager? NO X YES \_\_\_\_\_
- 7.) Name(s) of Manager(s) \_\_\_\_\_  
**Manager(s) MUST complete Personal Questionnaire** \_\_\_\_\_
- 8.) How many employees? (Describe positions) One chef, one pastry cook, one pasta  
cook, one grill person, one pizza  
person, one sandwich preparer, one  
dishwasher, one coffee person, one  
bartender, three servers, one assistant  
manager, one busperson
- 9.) Will there be security personnel? NO X YES \_\_\_\_\_  
If YES, how many? \_\_\_\_\_

# AFFIDAVIT

Any answer or statement, which is false, made by the applicant constitutes perjury and will subject any permit or license issued hereunder to revocation or cancellation.

I, MARION SCOTTO, Member of \_\_\_\_\_, the applicant, (sole proprietor, partner, or corporate principal) for a(n) on premises \_\_\_\_\_ permit or license understand that the New York State Liquor Authority will **rely** on each and every answer in the application and accompanying papers in reaching their determination and swear, under penalty of perjury, that all statements therein are **true** to the best of my knowledge and belief. **I FURTHER STATE** that no person has or will have any interest in the applicant's license if said person has previously been issued a license by the State Liquor Authority and such license has been **revoked** for cause within two (2) years of this application.

Marion Scotto  
Signature

COUNTY OF NEW YORK )  
STATE OF NEW YORK ) SS.:

On the 20th day of August 19 98 before me personally came MARION SCOTTO known to me to be the individual who executed the foregoing instrument.

Robert V. Ferrari  
NOTARY PUBLIC

ROBERT V. FERRARI  
Notary Public, State of New York  
No. 31-1200140  
Qualified in New York County  
Commission Expires May 31, 1999

CERTIFICATION

1. I am the President of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street, New York, New York.

2. Fresco provides separate bathrooms for both sexes.

3. I am also a ~~manager~~ member of Starjem LLC which planning to open a new restaurant at 40 East 52nd Street, New York, New York (the "New Restaurant"). The entrance to the New Restaurant is located less than . fifty feet from the entrance to Fresco. See diagram attached hereto.

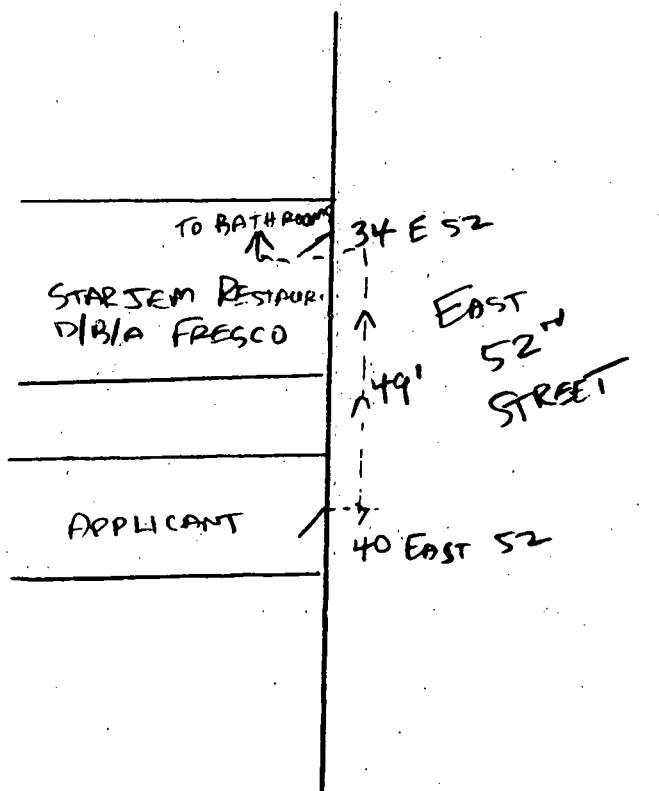
4. Both patrons and employees of the New Restaurant will be permitted to utilize Fresco's separate bathrooms.

6. This Certification is given knowing that the State Liquor Authority will rely on the truth of the assertions made therein.

Dated: August 20, 1998

  
MARION SCOTTO

# DIAGRAM TO BATHROOMS



# PERSONAL QUESTIONNAIRE

•All principals to the license application must complete this questionnaire in full.  
•Answer all questions below and check the appropriate spaces.

•Make duplicate blank forms as necessary.  
•Attach add'l sheets if more space is needed.

NAME OF APPLICATION: STARJEM LLC

1.) YOUR NAME MARION SCOTTO

Address [REDACTED]

Social Security No. [REDACTED]

Date of Birth [REDACTED]

Telephone No. [REDACTED]

2.) List any other name or names you have been known by (including maiden name) and the reason for changing your name: MARION ANASTASIO (maiden name)

3.) Height 5'4" Weight 135 Marital Status Married  
Sex Female Hair Color Blonde Spouse Name ANTHONY SCOTTO  
& S.S. # [REDACTED]

4.) Country of Birth: USA U.S. Citizen? NO YES X  
If Alien, state Registration No. or Visa Type: \_\_\_\_\_

5.) Residences for past TEN years including your present address: (If more space required, attach add'l sheets!)  
Address [REDACTED] FROM (mo./yr.) TO (mo./yr.) [REDACTED]

6.) Your occupation record for the past TEN years: (If more space required, attach add'l sheets!)

FROM/TO (mo./yr.)	Employer	Address	Type of Business	Occupation
7/93 to date	Starjem	34 East 52nd Street	Restaurant	Manager
	Restaurant Inc.	New York, New York		
1/87 to 12/92	VIP Celebration	8220 11th Avenue	Party Planners	Party Planner
		Brooklyn, New York		

7.) Position (or interest) you will hold in the license application (check each):

President	___	Director	___	Manager	___	Landlord	___
V. President	___	Stockholder	___	Lender	___	Broker	___
Secretary	___	Partner	___	Donor	___	Vendor	___
Treasurer	___	General Partner	___	Guarantor	___	Contractor	___
Chairman	___	Limited Partner	___	LLC Manager	___	Franchisor	___
Officer	___	Sole Proprietor	___	LLC Member	<u>X</u>	Management Agent	___

OTHER: \_\_\_\_\_

8(a) If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?

NO \_\_\_\_\_ YES X

(b) If YES, list hours you will devote to business sought to be licensed

One-third of time

9(a) Will you take an active part in the operation of the business to be licensed?

NO \_\_\_\_\_ YES X

(b) If YES, explain nature of activity:  
(hours, pay)

Management of LLC, fifteen  
hours per week

10(a) Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?

NO \_\_\_\_\_ YES X

(b) If YES, provide information below:

Business Name	Type of Business	Your Interest(Date Began)	Business Address	Liquor License	Federal ID No.
Starjem	Restaurant	Officer, Director	34 East 52nd St.	NEW OP 6650	
Restaurant Inc..		& Shareholder	New York, N.Y.		
		11/93			

11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?

NO X YES \_\_\_\_\_

(b) If YES, provide information below:

Name of applicant	Address of premises	State	Date of filing	License No.	Disposition
-------------------	---------------------	-------	----------------	-------------	-------------


12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?

NO X YES \_\_\_\_\_

(b) If YES, state action and date of action:

\_\_\_\_\_  
\_\_\_\_\_

13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?

NO X YES \_\_\_\_\_

(b) If YES, provide details:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



- NO   X   YES

Approved \_\_\_\_\_

- NO X YES

NO X YES           

- (Spouse will complete questionnaire)

- NO      X      YES

\_\_\_\_\_

- Premises are next door to  
our existng business

## 25

20.) **FINANCES**

State TOTAL AMOUNT OF MONEY you are providing the applicant

\$ 200,000

Type of Investment (Investment/Loan/Contract-debt)	Dollar (\$) Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Investment	\$200,000	Chase Vista Funds Account No. <span style="background-color: black; color: black;">[REDACTED]</span>

If you are guaranteeing a loan as a co-signer or putting up something of value as collateral.

Identify Co-Signer or Collateral

Identify Loan/Describe Collateral

I understand that the information I submit will be relied upon by the State Liquor Authority and a false statement or misrepresentation will constitute cause for the disapproval of the application or revocation of any license for which this application is submitted.

I verify that statements made herein are true and if any change occurs prior to the receipt of the license, I will notify the Authority by registered or certified mail within 48 hours or if change occurs after receipt of the license, I will notify the Authority similarly within 10 days. I understand that failure to give the required notice will violate the Alcoholic Beverage Control Law and may result in revocation of the license.

Marion Scotto  
Signature

August 20, 1998  
Date

# PERSONAL QUESTIONNAIRE

- All principals to the license application must complete this questionnaire in full.  
 •Answer all questions below and check the appropriate spaces.

- Make duplicate blank forms as necessary.  
 •Attach add'l sheets if more space is needed.

NAME OF APPLICATION: STARJEM LLC

1.) YOUR NAME ANTHONY M. SCOTTO, JR.

Address [REDACTED]

Social Security No. [REDACTED]

Date of Birth [REDACTED]

Telephone No. [REDACTED]

2.) List any other name or names you have been known by  
 (including maiden name) and the reason for changing  
 your name:

None

3.) Height 5'10"

Weight

210

Marital Status

Married

Sex Male

Hair Color

Brown

Spouse Name

THERESA PISACANI

& S.S. #

4.) Country of Birth: USA

U.S. Citizen? NO YES X

If Alien, state Registration No. or Visa Type: \_\_\_\_\_

5.) Residences for past TEN years including your present address: (If more space required, attach add'l sheets!)

Address

FROM (mo./yr.) TO (mo./yr.)

[REDACTED] [REDACTED]

6.) Your occupation record for the past TEN years: (If more space required, attach add'l sheets!)

FROM/TO (mo./yr.)	Employer	Address	Type of Business	Occupation
8/93 to date,	Starjem Restaurant Inc.	34 East 52nd St. New York, N.y.	Restaurant	Co-Manager
1988 to 1993,	Bar One	Los Angeles, California	Restaurant	General Manager

7.) Position (or interest) you will hold in the license application (check each):

President	<input type="checkbox"/>	Director	<input type="checkbox"/>	Manager	<input type="checkbox"/>	Landlord	<input type="checkbox"/>
V. President	<input type="checkbox"/>	Stockholder	<input type="checkbox"/>	Lender	<input type="checkbox"/>	Broker	<input type="checkbox"/>
Secretary	<input type="checkbox"/>	Partner	<input type="checkbox"/>	Donor	<input type="checkbox"/>	Vendor	<input type="checkbox"/>
Treasurer	<input type="checkbox"/>	General Partner	<input type="checkbox"/>	Guarantor	<input type="checkbox"/>	Contractor	<input type="checkbox"/>
Chairman	<input type="checkbox"/>	Limited Partner	<input type="checkbox"/>	LLC Manager	<input type="checkbox"/>	Franchisor	<input type="checkbox"/>
Officer	<input type="checkbox"/>	Sole Proprietor	<input type="checkbox"/>	LLC Member	<input checked="" type="checkbox"/>	Management Agent	<input type="checkbox"/>

OTHER: \_\_\_\_\_

8(a) If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?

NO \_\_\_\_\_ YES X

(b) If YES, list hours you will devote to business sought to be licensed

One-third of time

9(a) Will you take an active part in the operation of the business to be licensed?

NO \_\_\_\_\_ YES X

(b) If YES, explain nature of activity:

Management of LLC, fifteen

(hours, pay)

hours per week

10(a) Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?

NO \_\_\_\_\_ YES X

(b) If YES, provide information below:

Business Name	Type of Business	Your Interest(Date Began)	Business Address	Liquor License	Federal ID No.
Starjenn	Restaurant	Officer, Director	34 East 52nd St.	NEW OP 6650	
Restaurant Inc.		& Shareholder	New York, N.Y.		
		11/93			

11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?

NO \_\_\_\_\_ YES X

(b) If YES, provide information below:

Name of applicant	Address of premises	State	Date of filing	License No.	Disposition
BOBBY RUBINO'S	Fisherman's Wharf	California	12/83	/	Approved
	San Francisco, California				

12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?

NO X YES \_\_\_\_\_

(b) If YES, state action and date of action:

13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?

NO X YES \_\_\_\_\_

(b) If YES, provide details:

- NO   X   YES

Approved \_\_\_\_\_

- NO   X   YES

NO X YES           

(Spouse will complete questionnaire)

- NO X YES

Premises are next door to  
our existing business

## 25

20.) **FINANCES**

State TOTAL AMOUNT OF MONEY you are providing the applicant

\$ 66,666.66

Type of Investment (Investment/Loan/Contract-debt)	Dollar (\$) Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Distribution from Starjem Restaurant, Inc.	\$66,666.66	see letter of Marion Scott
		and corporation's bank
		statement annexed thereto

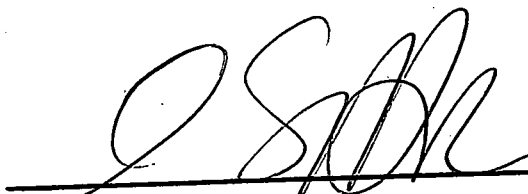
If you are guaranteeing a loan as a co-signer or putting up something of value as collateral.

Identify Co-Signer or Collateral

Identify Loan/Describe Collateral

I understand that the information I submit will be relied upon by the State Liquor Authority and a false statement or misrepresentation will constitute cause for the disapproval of the application or revocation of any license for which this application is submitted.

I verify that statements made herein are true and if any change occurs prior to the receipt of the license, I will notify the Authority by registered or certified mail within 48 hours or if change occurs after receipt of the license, I will notify the Authority similarly within 10 days. I understand that failure to give the required notice will violate the Alcoholic Beverage Control Law and may result in revocation of the license.

  
 \_\_\_\_\_  
 Signature

8/20/98  
 \_\_\_\_\_  
 Date

# PERSONAL QUESTIONNAIRE

•All principals to the license application must complete this questionnaire in full.  
 •Answer all questions below and check the appropriate spaces.

•Make duplicate blank forms as necessary.  
 •Attach add'l sheets if more space is needed.

NAME OF APPLICATION: STARJEM LLC

1.) YOUR NAME ROSANNA SCOTTO  
 Address [REDACTED]  
 Social Security No. [REDACTED]  
 Date of Birth [REDACTED]  
 Telephone No. [REDACTED]

2.) List any other name or names you have been known by ROSANNA SCOTTO RUGGIERO (married name)  
 (including maiden name) and the reason for changing  
 your name: \_\_\_\_\_

3.) Height 5'4" Weight 125 Marital Status Married  
 Sex Female Hair Color Brown Spouse Name LOUIS RUGGIERO  
 & S.S. # [REDACTED]

4.) Country of Birth: USA U.S. Citizen? NO YES X  
 If Alien, state Registration No. or Visa Type: \_\_\_\_\_

5.) Residences for past TEN years including your present address: (If more space required, attach add'l sheets!)  
 Address [REDACTED] FROM (mo./yr.) TO (mo./yr.) [REDACTED]

6.) Your occupation record for the past TEN years: (If more space required, attach add'l sheets!)

FROM/TO (mo./yr.)	Employer	Address	Type of Business	Occupation
3/86 to present	Fox 5 News	205 East 67th Street	News Station	Anchor
		New York, New York		

7.) Position (or interest) you will hold in the license application (check each):

President	___	Director	___	Manager	___	Landlord	___
V. President	___	Stockholder	___	Lender	___	Broker	___
Secretary	___	Partner	___	Donor	___	Vendor	___
Treasurer	___	General Partner	___	Guarantor	___	Contractor	___
Chairman	___	Limited Partner	___	LLC Manager	___	Franchisor	___
Officer	___	Sole Proprietor	___	LLC Member	<u>X</u>	Management Agent	___

OTHER: \_\_\_\_\_

8(a) If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?

NO \_\_\_\_\_ YES X

(b) If YES, list hours you will devote to business sought to be licensed

None

9(a) Will you take an active part in the operation of the business to be licensed?

NO X YES \_\_\_\_\_

(b) If YES, explain nature of activity:  
(hours, pay)

10(a) Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?

NO \_\_\_\_\_ YES X

(b) If YES, provide information below:

Business Name	Type of Business	Your Interest (Date Began)	Business Address	Liquor License	Federal ID No.
Starjem	Restaurant	Stockholder	34 East 52nd St.	NEW OP 6650	
Restaurant Inc.		11/93	New York, N.Y.		

11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?

NO X YES \_\_\_\_\_

(b) If YES, provide information below:

Name of applicant	Address of premises	State	Date of filing	License No.	Disposition
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12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?

NO X YES \_\_\_\_\_

(b) If YES, state action and date of action:

13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?

NO X YES \_\_\_\_\_

(b) If YES, provide details:



14(a) Have you ever been **CONVICTED** (including pleas of guilty or suspended sentences) of any felony, misdemeanor (*including driving while intoxicated or impaired*) or any other type of offense **EXCEPT MINOR TRAFFIC INFRACTIONS**?

NO X YES \_\_\_\_\_

(b) If **YES**, attach a **Certificate of Disposition** by the court clerk for each case and a **Certificate of Relief** from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here:

Approved \_\_\_\_\_

15(a) Are there any **ARRESTS, INDICTMENTS or SUMMONSES** other than minor traffic infractions **PENDING** against you (*including driving while intoxicated or impaired*)?

NO X YES \_\_\_\_\_

(b) **IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT!**

16.) If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a **YES** answer if asked of your spouse?

NO X YES \_\_\_\_\_

17.) If you answered **YES** to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire.

\_\_\_\_\_  
(Spouse will complete questionnaire)

18.) Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed?

NO X YES \_\_\_\_\_

If **YES**, explain:

\_\_\_\_\_

19.) How did you become aware of the availability of the subject premises?

\_\_\_\_\_  
Premises are next door to  
our existing business  
\_\_\_\_\_

## **FINANCES**

**IMPORTANT** - Submit any and all records, documents and affidavits that you feel may assist you in explaining the source of monies you will provide the applicant as per instruction sheet.

**EXAMPLES OF DOCUMENTS TO SUBMIT:** A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

20.) **FINANCES**

State TOTAL AMOUNT OF MONEY you are providing the applicant

\$ 66,666.66

Type of Investment (Investment/Loan/Contract-debt)	Dollar (\$) Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Distribution from Starjem Restaurant, Inc.	\$66,666.66	see letter of Marion Scott
		and corporation's bank
		statement annexed thereto

If you are guaranteeing a loan as a co-signer or putting up something of value as collateral.

Identify Co-Signer or Collateral

Identify Loan/Describe Collateral

I understand that the information I submit will be relied upon by the State Liquor Authority and a false statement or misrepresentation will constitute cause for the disapproval of the application or revocation of any license for which this application is submitted.

I verify that statements made herein are true and if any change occurs prior to the receipt of the license, I will notify the Authority by registered or certified mail within 48 hours or if change occurs after receipt of the license, I will notify the Authority similarly within 10 days. I understand that failure to give the required notice will violate the Alcoholic Beverage Control Law and may result in revocation of the license.

Rosanna Scott

Signature

8/20/98

Date

# PERSONAL QUESTIONNAIRE

•All principals to the license application must complete this questionnaire in full.  
•Answer all questions below and check the appropriate spaces.

•Make duplicate blank forms as necessary.  
•Attach add'l sheets if more space is needed.

NAME OF APPLICATION: STARJEM LLC

1.) YOUR NAME ELAINA SCOTTO-FAUCETTA  
Address [REDACTED]  
Social Security No. [REDACTED]  
Date of Birth [REDACTED]  
Telephone No. [REDACTED]

2.) List any other name or names you have been known by ELAINA SCOTTO (maiden name)  
(including maiden name) and the reason for changing  
your name: \_\_\_\_\_

3.) Height 5'5" Weight 120 Marital Status Married  
Sex Female Hair Color Brown Spouse Name DANIEL FAUCETTA  
& S.S. # [REDACTED]

4.) Country of Birth: USA U.S. Citizen? NO \_\_\_\_\_ YES X  
If Alien, state Registration No. or Visa Type: \_\_\_\_\_

5.) Residences for past TEN years including your present address: (If more space required, attach add'l sheets!)

FROM (mo./yr.) TO (mo./yr.)  
[REDACTED] [REDACTED]

6.) Your occupation record for the past TEN years: (If more space required, attach add'l sheets!)

FROM/TO (mo./yr.)	Employer	Address	Type of Business	Occupation
See annexed Rider				

7.) Position (or interest) you will hold in the license application (check each):

President	___	Director	___	Manager	___	Landlord	___
V. President	___	Stockholder	___	Lender	___	Broker	___
Secretary	___	Partner	___	Donor	___	Vendor	___
Treasurer	___	General Partner	___	Guarantor	___	Contractor	___
Chairman	___	Limited Partner	___	LLC Manager	___	Franchisor	___
Officer	___	Sole Proprietor	___	LLC Member	<u>X</u>	Management Agent	___

OTHER: \_\_\_\_\_

8(a) If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?

NO \_\_\_\_\_ YES X

(b) If YES, list hours you will devote to business sought to be licensed

One-third of time

9(a) Will you take an active part in the operation of the business to be licensed?

NO \_\_\_\_\_ YES X

(b) If YES, explain nature of activity:  
(hours, pay)

Management of LLC, fifteen  
hours per week

10(a) Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?

NO \_\_\_\_\_ YES X

(b) If YES, provide information below:

Business Name	Type of Business	Your Interest (Date Began)	Business Address	Liquor License	Federal ID No.
Starlem	Restaurant	Officer, Director	34 East 52nd St.	NEW OP 6650	
Restaurant Inc.		& Shareholder	New York, N.Y.		
		11/93			

11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?

NO X YES \_\_\_\_\_

(b) If YES, provide information below:

Name of applicant	Address of premises	State	Date of filing	License No.	Disposition

12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?

NO X YES \_\_\_\_\_

(b) If YES, state action and date of action:

13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?

NO X YES \_\_\_\_\_

(b) If YES, provide details:

- NO   X   YES

Approved \_\_\_\_\_

- NO X YES

NO ☒ YES ☐

- (Spouse will complete questionnaire)

- NO ☒ YES ☐

\_\_\_\_\_

- Premises are next door to  
our existing business

**EXAMPLES OF DOCUMENTS TO SUBMIT:** A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

20.) **FINANCES**

State TOTAL AMOUNT OF MONEY you are providing the applicant

\$ 66,666.66

Type of Investment (Investment/Loan/Contract-debt)	Dollar (\$) Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Distribution from Starjem Restaurant, Inc.	\$66,666.66	see letter of Marion Scott
		and corporation's bank
		statement annexed thereto

If you are guaranteeing a loan as a co-signer or putting up something of value as collateral.

Identify Co-Signer or Collateral

Identify Loan/Describe Collateral

I understand that the information I submit will be relied upon by the State Liquor Authority and a false statement or misrepresentation will constitute cause for the disapproval of the application or revocation of any license for which this application is submitted.

I verify that statements made herein are true and if any change occurs prior to the receipt of the license, I will notify the Authority by registered or certified mail within 48 hours or if change occurs after receipt of the license, I will notify the Authority similarly within 10 days. I understand that failure to give the required notice will violate the Alcoholic Beverage Control Law and may result in revocation of the license.

Glenn Scott - Faucett

Signature

Aug 20 1998

Date

**RIDER TO PERSONAL QUESTIONNAIRE  
ELAINA-SCOTTO FAUCETTA**

Question 6:

7/93 to date, Starjem Restaurant Inc., 34 East 52nd Street, New York, New York, Restaurant, Manager.

7/92 to 8/92, AMSCO Resources, 155 East 55th Street, New York, New York, Public Relations.

8/91 to 7/92, Robert Comstock, 1776 Broadway, New York, New York, Public Relations.

1/91 to 8/91, Bider Mann Ind., 575 Fifth Avenue, New York, New York, Public Relations.

1988 to 1/91, Mary Ann Restivo, 498 Seventh Avenue, New York, New York, Clothing, Sales Assistant.

STARJEM RESTAURANT INC.  
34 East 52nd Street  
New York, New York 10022

August 20, 1998

State Liquor Authority  
11 Park Place  
New York, New York 10007

Re: Starjem LLC  
40 East 52nd Street

Dear Sir/Madam:

I am the President of Starjem Restaurant Inc., (the "Corporation"). The Corporation is making the following distribution to the shareholders named below:

Rosanna Scotto	\$66,666.66
Elaina Scotto-Faucetta	66,666.66
Anthony M. Scotto, Jr.	66,666.66


The funds comprising this distribution are contained in the Corporation's business checking account at The Chase Manhattan Bank (Account No: [REDACTED]).

The above distribution is to be invested in Starjem LLC.

Very truly yours,

Starjem Restaurant Inc.

By

  
MARION SCOTTO



STATEMENT REGARDING INTERIOR OF PREMISES

Applicant's premises at 40 East 52nd Street, New York, New York was utilized by its prior owner as a retail store and Applicant has not yet transformed this space, as planned, into a restaurant. Hence, Applicant has not submitted interior photographs with this application but will do so upon receipt of the conditional approval of its application.

L Form 34 (Rev. 5/83)

COPY

PAGE 1 OF 2 PAGES

40 EASTCO

THE CITY OF NEW YORK



# DEPARTMENT OF BUILDINGS

## CERTIFICATE OF OCCUPANCY

N.Y. #13/81

BOROUGH MANHATTAN

DATE JAN 06 1987 NO. 89722

ZONING DISTRICT C5-2.5

This certificate supersedes C.O. No.

THIS CERTIFIES that the new ~~building~~ building - premises located at  
 32-46 East 52nd Street; 33-47 East 51st Street Block 1287 Lot 27, 28, 30, 31,  
 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE  
 LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN 44, 143

## PERMISSIBLE USE AND OCCUPANCY

STORY	FIRE LOAD LB PER SQ FT	MAXIMUM NO OF PERSONS PERMITTED	ZONING COEFFICIENT (NO ROOMS) UNITS	BUILDING CODE REQUIREMENTS	ZONING USE GROUP	BUILDING OCCUPANCY GROUP	DESCRIPTION OF USE
Cellar	0/0	70			6	B-2 D-2 E	Steam Meter Rm., Elec. Switch Gear Rm., Telephone Equipment Rm., Storage, Offices, Pump Rm. Locker Rm., Toilets, Mechanic Equip. Rm., Network Compartment Fuel Oil Tank Room
1st Fl.	100/175	100			6	B C D-2	Lobby, Loading Berth, Offices Retail Space, Janitor Closet Mail Rm., Bldg. Manager Office Elec. and Telephone Closets, Urban Plaza
Mezzanine Level	100/200	1				D-2	Mech. Equipment Rm., Engr. Office and Toilet
2nd to 6th Floors	50/100	150			6	B D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
7th to 11th Floors	50/100	140			6	B D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
12th to 14th Floors	50/100	130			6	B D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
15th to 16th Floors	50/100	130			6	B D-2	Offices, Toilets, Janitor's Closets, Elec. and Telephone Closets, Elevator Machine Room A.C. Fan Room
17th Fl.	50/100	120			6	B	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, Elevator Machine Room A.C. Fan Room
18th to 22nd Floors	50/100	120			6	B D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room

(CONTINUED)

OPEN SPACE USES Loading Berths: 756 Square Feet; Urban Plaza 4,142 Sq. Ft.  
 (SPECIFY - PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
 A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED

THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
 SPECIFICATIONS NOTED ON THE REVERSE SIDE.

*Berge Chabon*  
 BOROUGH SUPERINTENDENT

*Charles J. ...*  
 COMMISSIONER

☒ ORIGINAL ☐ OFFICE COPY - DEPARTMENT OF BUILDINGS ☐ COPY

B Form 1-1-84 (Rev. 4-85)

THAT THE ZONING LOT ON WHICH THE PREMISES IS LOCATED IS BOUNDED AS FOLLOWS.

BEGINNING at a point on the north side of 31st Street  
 distant 133'-0" feet from the corner formed by the intersection of  
 Park Avenue and East 31st Street  
 running thence east 117'-0" feet; thence north 100'-5" feet;  
 thence west 55'-5" feet; thence north 100'-5" feet;  
 thence east 130'-0" feet; thence south 200'-10" feet;  
 thence west 55'-5" feet; thence north 100'-5" feet;  
 to the point of place of beginning

N.B. INDEX No. 15/81. DATE OF COMPLETION 12-12-81 CONSTRUCTION CLASSIFICATION Class 1-Fireproof  
 BUILDING OCCUPANCY GROUP CLASSIFICATION 2 HEIGHT 23 STORIES 270'-0" FEET

THE FOLLOWING FIRE DETECTION AND EXTINGUISHING SYSTEMS ARE REQUIRED AND WERE INSTALLED IN COMPLIANCE WITH APPLICABLE LAWS.

	YES	NO		YES	NO
STANDPIPE SYSTEM	X		AUTOMATIC SPRINKLER SYSTEM	X	
YARD HYDRANT SYSTEM					
STANDPIPE FIRE TELEPHONE AND SIGNALLING SYSTEM					
SMOKE DETECTOR					
FIRE ALARM AND SIGNAL SYSTEM					

## STORM DRAINAGE DISCHARGES INTO:

A) STORM SEWER ☐ B) COMBINED SEWER ☒ C) PRIVATE SEWAGE DISPOSAL SYSTEM ☐

## SANITARY DRAINAGE DISCHARGES INTO:

A) SANITARY SEWER ☐ B) COMBINED SEWER ☒ C) PRIVATE SEWAGE DISPOSAL SYSTEM ☐

## LIMITATIONS OR RESTRICTIONS:

BOARD OF STANDARDS AND APPEALS CAL. NO. \_\_\_\_\_  
 CITY PLANNING COMMISSION CAL. NO. 44-0985263  
 OTHERS: \_\_\_\_\_

Page 2 of 2 pages

B Form 54 (Rev. 1/85)

## THE CITY OF NEW YORK



# DEPARTMENT OF BUILDINGS N.Y.C. #13/81

## CERTIFICATE OF OCCUPANCY

BOROUGH

DATE:

NO.

JAN 06 1987

ZONING DISTRICT CS-2.3

This certificate supersedes C.O. No.

THIS CERTIFIES that the new ~~three-story~~ building premises located at

38-45 East 52nd Street; 39-47 East 51st Street Block 1287 Lot 27, 28, 30, 31,

CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS, RULES AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN 44,143

## PERMISSIBLE USE AND OCCUPANCY

STORY	GROSS FLOOR AREA SQ. FT.	MAXIMUM NO. OF PERSONS PERmitted	ZONING USE GROUP OR ROOMS	BUILDING CODE HABITABLE ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
23rd & 30th	50/100	60			6	E	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, Mech. Equip. Rm., A.C. Pan Room, Cooling Tower
Substructure							Water Tank; Elev. Mach. Room

OPEN SPACE USES

SPECIFY-PARKING SPACES, LOADING BERTHS, OTHER USES, NONE

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED

THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND SPECIFICATIONS NOTED ON THE REVERSE SIDE.

*Benjamin A. ...* *Charles H. ...*

B Form 54 (Rev. 11/82)

THAT THE ZONING LOT ON WHICH THE PREMISES IS LOCATED IS BOUNDED AS FOLLOWS:

BEGINNING at a point on the  
distant

side of  
feet from the corner formed by the intersection of  
and

running thence ..... feet; thence ..... feet;  
thence ..... feet; thence ..... feet;  
thence ..... feet; thence ..... feet;  
thence ..... feet; thence ..... feet;  
to the point or place of beginning.

N.B. or A.L.T. No.

DATE OF COMPLETION

BUILDING OCCUPANCY GROUP CLASSIFICATION

CONSTRUCTION CLASSIFICATION  
HEIGHT

STORIES,

FEET

THE FOLLOWING FIRE DETECTION AND EXTINGUISHING SYSTEMS ARE REQUIRED AND WERE INSTALLED IN COMPLIANCE WITH  
APPLICABLE LAWS.

	YES	NO		YES	NO
STANDPIPE SYSTEM			AUTOMATIC SPRINKLER SYSTEM		
YARD HYDRANT SYSTEM					
STANDPIPE FIRE TELEPHONE AND SIGNALLING SYSTEM					
SMOKE DETECTOR					
FIRE ALARM AND SIGNAL SYSTEM					

STORM DRAINAGE DISCHARGES INTO:

A) STORM SEWER ☐B) COMBINED SEWER ☐C) PRIVATE SEWAGE DISPOSAL SYSTEM ☐

SANITARY DRAINAGE DISCHARGES INTO:

A) SANITARY SEWER ☐B) COMBINED SEWER ☐

Jun-17-98 12:06pm

From-STILLMAN & FRIEDMAN, P.C.

+2122232447

T-493 P.07/07 F-685

SEWAGE DISPOSAL SYSTEM ☐

**LIMITATIONS OR RESTRICTIONS:**

BOARD OF STANDARDS AND APPEALS CAL. NO. \_\_\_\_\_

CITY PLANNING COMMISSION CAL. NO. \_\_\_\_\_

OTHERS: \_\_\_\_\_

CERTIFICATION FORM FOR NEW APPLICATIONS

Serial No NY OP 8460

This is to certify that I have complied with the following conditions:

1. That premises are constructed and equipped in accordance with the plans and specifications as approved by the NY State Liquor Authority.
2. That the premises will be provisioned, staffed and conducted in accordance with the plan of management and /or method of operation submitted with the application to the Liquor Authority.
3. That the financing of the business, including the construction of the proposed premises, is in accordance with information supplied in support of the application to the Liquor Authority.
4. That the premises have been completed and are ready to be open and operated by the applicant.

Date March 19, 1999

Signature 

RECEIVED

MAR 22 1999

COMBINED LICENSE

N.Y. STATE LIQUOR AUTHORITY

ZONE 1

Note that you may apply for a new three year license which will authorize you to sell both beer and wine products. If you choose to do so, please submit a certified check, bank check, money order or personal check in the amount of \$240.00. If you have already paid for a separate Beer License and a Wine Product Permit, the fees for the new combined license have been adjusted in order to reflect only the additional amount due, if any.

IMPORTANT NOTICE TO NEW LICENSEESREQUIREMENTS BEFORE A LICENSE MAY BE ISSUEDSALES TAX

The New York State Sales Tax Law requires that a person engaging in the sale of products subject to sales tax obtain from the Department of Taxation and Finance a "CERTIFICATE OF AUTHORITY TO COLLECT SALES TAXES". The Law requires that this Certificate be obtained.

Applicants will be required to present a copy of their "CERTIFICATE OF AUTHORITY TO COLLECT TAXES" to the State Liquor Authority before their license may be issued. Applicants may avoid delay in the issuance of their licenses by presenting a copy of their "CERTIFICATE OF AUTHORITY TO COLLECT SALES TAXES" with their initial application for a license.

Enter your Certificate # 134011895

AGENCY USE

Verified by \_\_\_\_\_ Date \_\_\_\_\_

**RECEIVED**

MAR 22 1999

WORKERS COMPENSATION INSURANCE

Under the Workers' Compensation Law, your license cannot be issued if you are an employer of one or more employees, or a corporation, unless you have secured Workers' Compensation and Disability Benefits insurance policies.

Serial No NY OP 8460 Name STARJEM LLC d/b/a FRESCO ON THE GO

Premises address 40 East 52nd Street, New York, New York Zip code 10022

1. Are you an employer with one or more employees or a corporation? Please answer Yes or No ☒ Yes

2. If yes, state the following:

WC Policy No [REDACTED] Company First Cardinal Corporation

Eff. Date 3/1/99, and DB Policy No [REDACTED]

Company U.S. Underwriter's Insurance Co. Eff. Date 1/20/99

Signature [Signature] Date March 19, 1999

(If answer to question 1 is yes, question 2 must be completely filled out. This form must be submitted to License Processing Unit at the appropriate zone office prior to issuance of new license.)



New York State Department of Taxation and Finance - Sales Tax

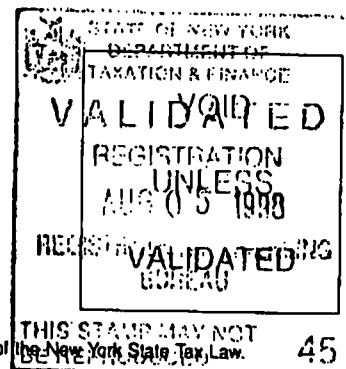
## Certificate of Authority

Identification Number

(Use this number on all returns and correspondence)



STARJEM LLC  
10 E 52ND ST  
NEW YORK , NY 10022



Is authorized to collect sales and use taxes under Articles 28 and 29 of the New York State Tax Law.  
**Not Transferable**

This certificate must be prominently displayed in your place of business listed above.  
Fraudulent or other improper use of this certificate may cause it to be revoked.  
This certificate may not be photocopied or reproduced.

DTF-17 C (3/97)

EXHIBIT 3

Page 1 of 2 pages

NO. 13/81

B Form-1A (Rev. 06/81)

THE CITY OF NEW YORK



# DEPARTMENT OF BUILDINGS

## CERTIFICATE OF OCCUPANCY

BOROUGH MANHATTAN

DATE: JAN 06 1987

NO. 89727

ZONING DISTRICT C7-2.3

This certificate supersedes C.O. No.

THIS CERTIFIES that the new - ~~new~~ ~~existing~~ - building - premises located at  
 30-46 East 72nd Street; 30-47 East 51st Street Block 1267 Lot 27, 28, 30, 31,  
 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE  
 LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN 44, 143

## PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOAD LBS. PER SQ. FT.	MAXIMUM NO. OF PERSONS PERMITTED	ZONING CHANGING OR ADDING UNITS	ZONING CODE HABITABLE ROOMS	ZONING USE GROUP	ZONING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
Cellar	0/0	70			6	E-2 D-2 E	Steam Meter Rm., Elec. Switch Gear Rm., Telephone Equipment Rm., Storage, Offices, Pump R. Locker Rm. & Toilets, Mechanic Equip. Rm., Network Computer Fuel Oil Tank Room
1st Fl.	100/175	100			6	E C D-2	Lobby, Loading Berth, Offices Retail Space, Janitor Closet Mail Rm., Bldg. Manager Office Elec. and Telephone Closets, Urban Plaza
Mezzanine Level	100/200	1				D-2	Mech. Equipment Rm., Engr. Office and Toilet
2nd to 6th Floors	50/100	150			6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
7th to 11th Floors	50/100	140			6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
12th to 14th Floors	50/100	130			6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
15th to 16th Floors	50/100	130			6	E D-2	Offices, Toilets, Janitor's Closets, Elec. and Telephone Closets, Elevator Machine Room A.C. Fan Room
17th Fl.	50/100	120			6	E	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, Elevator Machine Room A.C. Fan Room
18th to 22nd Floors	50/100	120			6	E D-2	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room

(CONTINUED)

OPEN SPACE USES Loading Berth - 756 Square Feet; Urban Plaza 4, 142 Sq. Ft.  
 (SPECIFY - PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
 A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED

THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
 SPECIFICATIONS NOTED ON THE REVERSE SIDE.

BOROUGH SUPERINTENDENT

COMMISSIONER

☒ ORIGINAL ☐ OFFICE COPY - DEPARTMENT OF BUILDINGS ☐ COPY

Page 2 of 2 pages

B Form 4 (Rev. 01/85)

## THE CITY OF NEW YORK



# DEPARTMENT OF BUILDINGS

## CERTIFICATE OF OCCUPANCY

BOROUGH

DATE:

NO.

JAN 06 1987

ZONING DISTRICT C7-2.3

This certificate supersedes C.O. No.

THIS CERTIFIES that the new ~~three-story~~ building - premises located at  
 30-45 East 52nd Street; 30-47 East 51st Street Block 1207 Lot 27, 28, 30, 31,  
 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE  
 LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN

## PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOAD LBS PER SQ FT	MAXIMUM NO OF PERSONS ALLOWED	ZONING DENSITY OF ROOMING UNITS	BUILDING CODE -ADDITIONAL ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	OTHER PERMITTED USE
23rd fl. Roof	50/100	CO			C	B	Offices, Toilets, Janitor's Closet, Elec. and Telephone Closets, Mech. Equip. Rm., A.C. Fan Room, Cooling Tower
Full-head							Water Tank; Elev. Mach. Room

OPEN SPACE USES

(SPECIFY - PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
 A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED  
 THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
 SPECIFICATIONS NOTED ON THE REVERSE SIDE.

*[Signature]*  
 BOROUGH SUPERVISOR

*[Signature]*  
 COMMISSIONER

☒ ORIGINAL☐ OFFICE COPY - DEPARTMENT OF BUILDINGS☐ COPY



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

84 Holland Avenue  
Albany, New York 12208

11 Park Place  
New York, New York 10007

125 Main Street  
Buffalo, New York 14203

IN REPLYING REFER TO

DEC 2 - 1998  
NOVEMBER 25, 1998

MARION SCOTTO  
350 EAST 72<sup>ND</sup> STREET  
NEW YORK, NY 10021

Re: NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO  
40 EAST 52<sup>ND</sup> STREET  
NEW YORK, NY 10022

APPROVAL EXPIRATION  
DATE: 5/18/99

Dear Sir:

The Members of the Authority at their regular meeting held on 11/18/98 approved your application for an ON PREMISES LIQUOR LICENSE waiving requirement of two (2) separate sanitary facilities and subject to submission by you of an affidavit to our LICENSE PROCESSING UNIT, 11 Park Place, New York, NY 10007, 3<sup>rd</sup> floor, indicating compliance with the following conditions:

1. That the premises are constructed and equipped in accordance with the plans and specifications as approved by the Liquor Authority.
2. That the premises will be provisioned, staffed and conducted in accordance with the plan of management and/or method of operation submitted with the application to the Liquor Authority.
3. That the financing of the business, including the construction of the proposed premises is in accordance with information supplied in support of the application to the Liquor Authority.
4. That the premises have been completed and are ready to be opened and operated by the applicant.
5. Subject to submission of two photographs of both the exterior and interior of premises 5"x 7" are to be submitted showing premises open and operating.
6. Subject to submission of SLA FORM 180-12, in duplicate, if you are an employer of one or more employees or a corporation.

- continued -

NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO

DEC 2 - 1998  
NOVEMBER 25, 1998

-2-

7. Subject to submission of a valid Certificate of Occupancy reflecting the current use of these premises.

This letter of approval shall be void if you do not comply with the conditions contained in this letter prior to the expiration date set forth above. If you cannot comply within the time allowed, you may send an extension of time. Instructions for making application for an extension of this letter of approval are enclosed herewith.

Very truly yours,

STATE LIQUOR AUTHORITY



BARBARA JOANNI LORD  
SECRETARY TO THE AUTHORITY

BJL:dr

ENCLS.: FORM 2-33 STIPULATION  
FROM LB-38 INSTRUCTIONS  
FORM 180-12

CC: ROBERT V. FERRARI, ESQ.  
300 EAST 42<sup>ND</sup> STREET  
NEW YORK, NY 10017

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF NOVEMBER 18, 1998  
REFERRED FROM: LICENSING BOARD

98-4647

REASON FOR REFERRAL

NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO  
40 EAST 52<sup>ND</sup> STREET  
NEW YORK, NY 10022

FOR DIRECTION.

FILED: 8/21/98

(NEW)

The Members of the Authority at their regular meeting held at the Zone I New York Office on November 18, 1998 determined:

Robert V. Ferrari, Esq. and Anthony Scotto, Jr., principal, appeared.

Application approved waiving requirement of 2 separate sanitary facilities.

Acting Chairman Kelly and Comm. Gedda present and voting for the above.

1-2      FILE COPY  
         DO NOT REMOVE

BJL:sb

*Barbara Jeanne Ford*

SECRETARY TO THE AUTHORITY

*2-1 to pres  
has atty  
exp date 5/18/99  
1, 2, 3, 4, 5, 6, 7  
& concorra*

98-4647

STATE LIQUOR AUTHORITY

Full Board Meeting

-----x November 18, 1998

In the Matter of the Application of

STARJEM LLC (NYOP 8460)

for an on premises liquor license  
at 40 East 52nd Street, New York,  
New York 10022

-----x

MEMORANDUM IN SUPPORT

Starjem LLC d/b/a Fresco On The Go (the "Applicant") has applied for an on premises liquor license and is in the process of constructing a restaurant at 40 East 52nd Street, New York, New York (sometimes known as the "Premises"). The entrance to 40 East 52nd Street is located less than fifty feet from the entrance to Starjem Restaurant Inc. d/b/a Fresco ("Fresco"), an upscale Italian restaurant located at 34 East 52nd Street, New York, New York (see diagram described below as Exhibit B). The Applicant proposes to have one bathroom and Fresco presently provides two bathrooms. The Scotto family are the Members of Applicant and are also the officers, directors and shareholders of Fresco. The Scotto family has operated Fresco for about five years without blemish on its record and with accolades from the food critics.

Referred To: Rec'd By:

98 NOV 16 P1:06

RECEIVED  
STATE LIQUOR AUTHORITY  
SECT 220/23 OFFICE-N.Y.

Submitted herewith are the following items which were previously furnished to the State Liquor Authority ("SLA") in support of the application:

Exhibit A - certification in support.

Exhibit B - diagram to bathrooms.

Exhibit C - interior diagram of Applicant's proposed premises.

Exhibit D - New York City Department of Buildings' approval of plans of Applicant for restaurant with one bathroom.

This application is being submitted to the full Board of the SLA to consider whether to accept the application with one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

Section 48.4(d)(2)

At the outset, it is noted that Section 48.4(d)(2) may be waived by the SLA "provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".

It is submitted that given the close proximity of Fresco to the Applicant coupled with the ready availability of Fresco's facilities for the patrons of the Applicant, this exception should be applied here and the requirement of a second bathroom waived (see Exhibit B).



The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

Section 48.9

Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by

(b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."

The Premises are located on one floor and is less than 3,000 square feet. The major portion of the anticipated business of the Applicant will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the Premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and nineteen tables with thirty-six indoor seats. As noted from the plan (Exhibit C), the handicap bathroom is by law large enough to accommodate a wheelchair bound customer.

If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

A second bathroom could possibly be installed in the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant.

It should also be noted that the bar is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does not require drainage to a waste line.

Accordingly, we submit that Applicant has satisfied the hardship test of Section 48.9(b). The second requirement under the rule is that such waiver would not be inconsistent with the policy expressed in Section 2 of the Alcoholic Beverage Control Law. It appears that having one bathroom or two bathrooms is not relevant in promoting temperance and

determining whether public convenience and advantage will be promoted by the issuance of the license.

Department of Buildings' Approval

The building plans for the Applicant have been approved by the New York City Department of Buildings as per Exhibit D, thus evidencing that such plans with one bathroom are in full compliance with the Building Code of the City of New York. (Note last page of Exhibit D which shows that permit could be issued based on plan approval.)

Conclusion

In light of the foregoing, the SLA is urged to waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant as to the reduction in seating and cost arising from the installation of a second bathroom.

Additionally, since the Department of Buildings has accepted one bathroom for the Premises, the public policy of the City of New York is being satisfied and, therefore, the SLA should accept the one bathroom at least in this matter.

Thus, the two pronged test under Section 48.9(b) has been satisfied, to wit, there is a hardship and the waiver of the two bathroom rule is not inconsistent with Section 2.

Accordingly, it is respectfully requested that the full Board of the SLA vote to approve the liquor license

application submitted by Starjem LLC with only one bathroom.

Dated: November 16, 1998

ROBERT V. FERRARI  
Attorney for Applicant  
300 East 42nd Street  
New York, New York 10017



**CERTIFICATION IN SUPPORT OF APPLICATION**

ANTHONY SCOTTO, JR., certifies to the New York State Liquor Authority ("SLA") as follows:

1. I am a manager/member of Starjem LLC ("Applicant"), the Applicant for an on premises liquor license at 40 East 52nd Street, New York, New York 10022 (the "Premises") and make this certification in support of Applicant's request to waive the requirement of two bathrooms at the Premises.

2. I understand that this application is being submitted to the full Board of the SLA because Applicant has only one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

Section 48.4(d)(2)

3. Section 48.4(d)(2) may be waived by the SLA "provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".

4. The principals of Applicant are also the principals of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street. The entrance to the Premises is located less than fifty feet from the entrance to Fresco (see diagram annexed as Exhibit A). Both patrons and employees of Applicant will be permitted to utilize Fresco's separate bathrooms.

5. Waiver of the second bathroom is being sought under this rule. The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

Section 48.9

6. Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by

(b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."

7. Annexed hereto as Exhibit B is the interior diagram of the Premises submitted with the application. As noted, the Premises are located on one floor and is less than 3000 square feet. The major portion of the anticipated business of the Premises will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the Premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and

nineteen tables with thirty-six indoor seats. As noted from the plan, the handicap bathroom is by law large enough to accommodate a wheelchair bound customer. If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

8. A second bathroom could possibly be installed in the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant. The reason for the high cost is the fact that there is another tenant occupying the space below the Premises and work on the drain line can only be done during evenings and weekends necessitating overtime charges and delay.

9. It should also be noted that the bar is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does



not require drainage to a waste line.

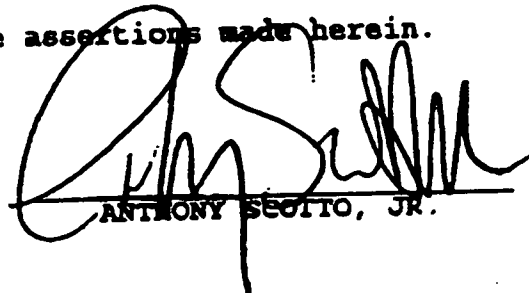
Summary

10. As noted, the major portion of the business will be take out food. There will only be thirty-six seats at the Premises which is not a very large number of persons for using only one bathroom. Moreover, the restaurant concept is casual dining and seated customers will be at the Premises most likely for less than an hour which means less use of the bathrooms. [If the objection is to using another store forty-nine feet away and walking outdoors, this objection should not apply to the patrons occupying the sidewalk cafe because they are already outdoors.]

11. It is respectfully requested that the SLA waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant in installing such second bathroom.

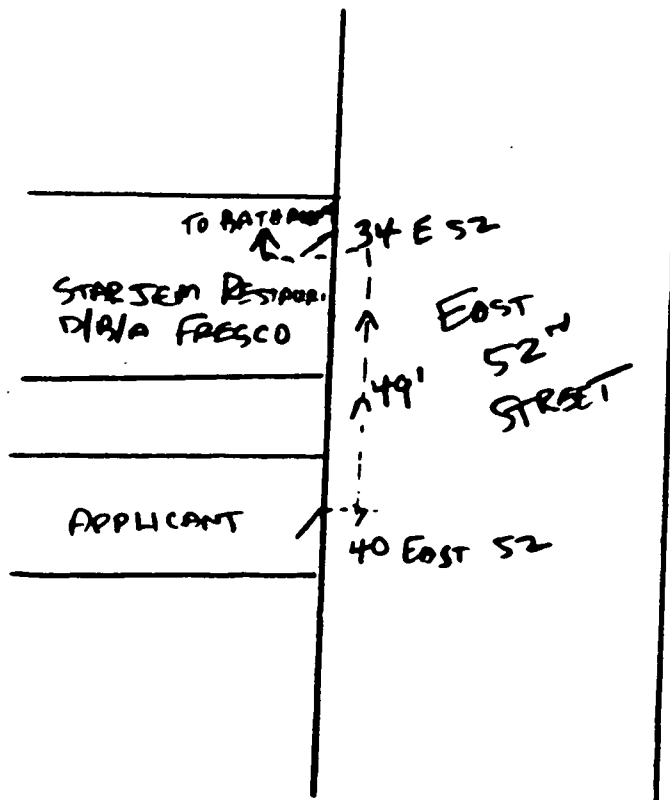
12. This affirmation is submitted knowing that the SLA will rely on the truth of the assertions made herein.

Dated: October 22, 1998

  
ANTHONY SCOTTO, JR.



# DIAGRAM TO BATHROOMS



ZONE: \_\_\_\_\_ SLIP NO: \_\_\_\_\_ FEE: \_\_\_\_\_ AUDITED BY: \_\_\_\_\_  
DEPOSIT DATE: \_\_\_\_\_



1	PLASTIC LAM.	BACK COUNTER MILLWORK ONLY - COLOR TBD	BY G.C.
1	WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.
2	WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.

SCHEDULED FINISH

DOOR NUMBER  
SEE DOOR SCHEDULE

## SCHEDULE

SIZE	DESCRIPTION	NO.	SIZE	DESCRIPTION
1'-4"x7'-0"	PAINTED HOLLOW METAL	D6	2'-6"x7'-0"	PAINTED HOLLOW METAL
2'-8"x7'-0"	PAINTED HOLLOW METAL	D7	3'-0"x7'-0"	PAINTED HOLLOW METAL
2'-8"x7'-0"	PAINTED HOLLOW METAL	D8	3'-0"x7'-0"	PAINTED HOLLOW METAL
2'-6"x7'-0" PK	POCKET DOOR PNTD WOOD			

## H.C. TOILET FIXTURES

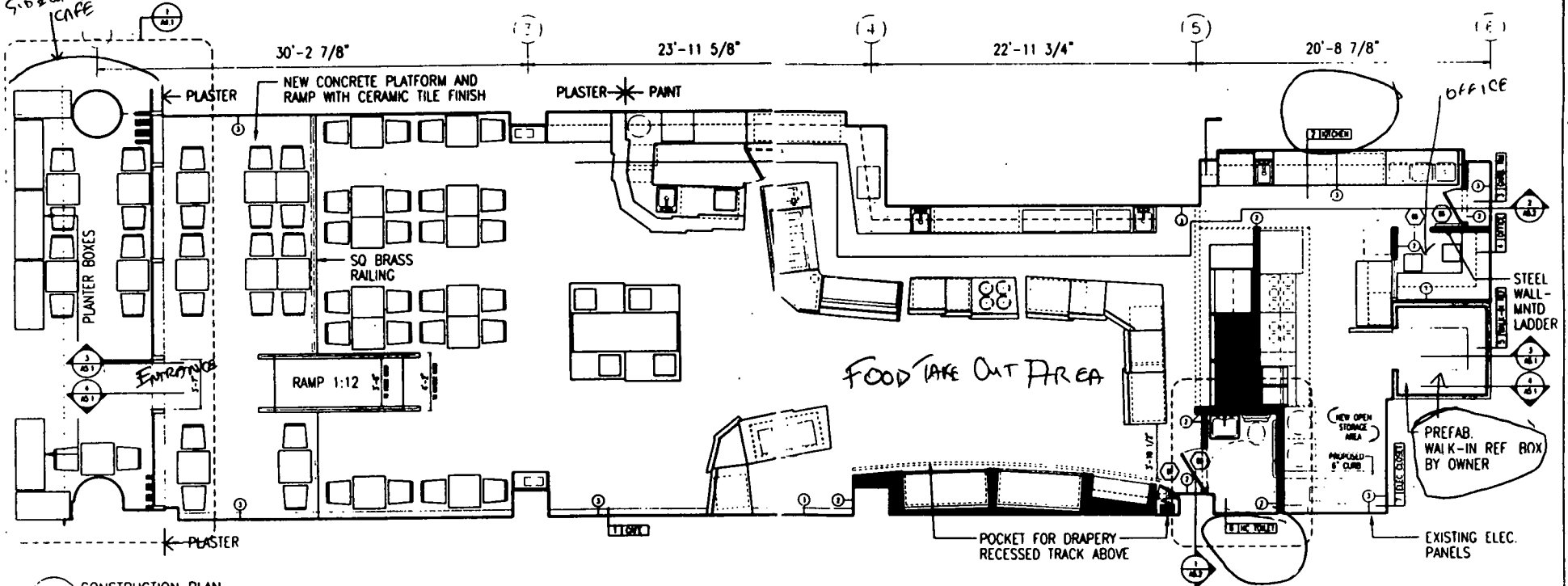
REF	ITEM	MANUFACTURER	DESCRIPTION
TL1	TOILET	AM. STANDARD	2257.103 AFWALL
LV2	LAVATORY	WATERWORKS	RICHMOND THR124
LF1	FITTINGS	CHICAGO	802A-669
GB1	GRAB BARS	ASI-SIMPLICITY	3200 SERIES (36", 42")

E. ALL FRAMES TO BE WELDED. ALL HARDWARE BY SCHLAGE OR EQUAL

UNBENCH-ED  
S.D. WORK  
ICAFE

STARTEM LLC

## 2 MEZZANINE PLAN SCALE: 1/8"=1'-0"



## 1 CONSTRUCTION PLAN SCALE: 1/8"=1'-0"



THE CITY OF  
NEW YORK



DEPARTMENT OF BUILDINGS  
6921/TS

# Plan/Work Approval Application

Application Must Be Typewritten

Approval File

102074354  
DEPT. OF BLDGS.  
(Affix Label)

<b>1 Filing Status</b> Select one and complete section indicated			
<input checked="" type="checkbox"/> Initial Filing - 23.4.18	<input type="checkbox"/> Subsequent Filing - 23.4.18/23.4.19	Job Number	Work Type Surfs
<input type="checkbox"/> Job involves a development project.		<input type="checkbox"/> OT	
<input type="checkbox"/> Job involves tract housing/cluster.			
Number of Buildings	<input type="checkbox"/> Additions	<input type="checkbox"/> Changes	
Project Name <b>Fresco On The Go</b>	<input type="checkbox"/> I am the original applicant applying for additional approvals.	Amendment	
Project L.I.	<input type="checkbox"/> I am a subsequent applicant taking responsibility for the items specified herein.	Reinstatement	
Address <b>101</b>		Variance	

<b>2 Location</b>			
Borough <b>Manhattan</b>	Block <b>1287</b>	Lot(s) <b>28</b>	BN <b>1076267</b> C.R. No. <b>105</b>
House No(s) <b>40</b>	Street Name <b>East 52nd Street</b>		Appt/Condo No(s)
Special Place Name <b>Fresco on the Go</b>			Floor(s) <b>1st</b>

<b>3 Applicant</b>			
The following information represents a change to the original filing.			
Last Name <b>Mann</b>	First Name <b>David</b>	M.I. <b>B.</b>	
Business Name <b>M.R. Architect &amp; Decor</b>	Business Phone <b>212 529 0606</b>		
Address <b>611 Broadway, Room 534</b>	City <b>New York</b>	State <b>NY</b>	Zip <b>10012</b>
P.E. <b>K</b>	RA <b>RA</b>	Lic. No. <b>024860-1</b>	
Other:			

<b>4 Filing Representative</b>			
Complete if different from applicant			
Last Name <b>Rodriguez</b>	First Name <b>Steve</b>	M.I.	
Business Name <b>Milrose Consultants, Inc.</b>	Business Phone <b>(212) 643-4545</b>		
Address <b>214 West 29th Street</b>	City <b>New York</b>	State <b>NY</b>	Zip <b>10001</b>

<b>5 Additional Consideration</b>					
<input checked="" type="checkbox"/> Effective 14 Approvals Requested	<input type="checkbox"/> Old Code Review Requested	<input type="checkbox"/> With Zoning	<input type="checkbox"/> Quality Housing	<input type="checkbox"/> Site Safety Job	
Legislation of work done after 1/1/88		Application is being made to comply with		Local Law 5 of 1977	Local Law 16 of 1984

<b>6 Initial Filing</b>					
<input type="checkbox"/> New Building	<b>23, 18, 15, 12, Schedule A</b>	Subdivision: <b>0</b>	Special Status, Limitations or Restrictions		
<input checked="" type="checkbox"/> Alteration	<b>7</b>	<input type="checkbox"/> Improved Property	<input type="checkbox"/> Restrictive Declaration	<input type="checkbox"/> Landmark	<input type="checkbox"/> Single Room Occupancy
<input type="checkbox"/> Conversion	<b>2A, 10D</b>	<input type="checkbox"/> Unimproved Property	<input type="checkbox"/> Rent	BSA Calendar Number	
<input type="checkbox"/> Sign	<b>1A, 2A, 10A, 12</b>	<input type="checkbox"/> Condominiums	Page No	CPC Calendar Number	
Place of Assembly	<b>11</b>	Related Job Number:	Other:		

<b>7 Alterations</b> Indicate type of alteration and complete appropriate sections and schedules.					
<b>Alteration - Type I</b> (Change to C of O) Complete 7A, 8, 9, 10, 16, Schedule A					
Change to:	Occupancy/Use	Room Count/Dwelling Units	Egress	Parted Demolition	
Enlargement	Horizontal	Vertical			
<b>Alteration - Type II</b> Complete 7A and indicate sections and schedules.					
PL. Plumbing	- 9, 10C, PM-1B	PS. Fuel Burning	- 9, PM-1C	SP. Fire Suppression	- 9, 10A, 10B, 10C, 14, PM-1B
ME. Mechanical / HVAC	- 9, 10A	FS. Fuel Storage	- 9, PM-1C	FF. Fire Alarm	- 9, 14
EL. Elevator	- 9, PM-1C	SD. Stairways	- 9, 10A, 10B, 10C, 10D	RP. Fire Suppression	- 9, 14
<b>Alteration - Type III</b> Complete sections 7A, 8 (EQ, CC, or OT work types only), 9, 10A, 10B, 10C, 10D					

<b>Part A Job Description</b> (Required for all alterations)	
Estimated Cost Total	<b>\$10,000</b> Work Type Code: (Alteration Type) <b>OT</b> <b>\$10,000</b>
Removal of interior non-load bearing partitions and related finishes, as per plans filed herewith. No change in use, egress or occupancy.	
Alteration Jobs only: Proposed Additional Floor Area	

8 Work Types Submitted				9 Plans Submitted			
PL	Plumbing	- PW-1B	SP	Sprinkler	- 14, PW-1	EO	Zoning
ME	Mechanical	-	FA	Fire Alarm	- 14	X AR	Architectural
EL	Electric	- PW-1C	EQ	Construction Equip.	- 13	ST	Structural
FB	Fuel Burning	- PW-1D	FP	Fire Suppression	- 14	NP	No Plans
FS	Fuel Storage	- PW-1E	CC	Curb Cut	- 7A, indicate total linear feet		
SD	Standpipe	- 14	OT	Other	- Description: General Const.		

### 10 Building Characteristics

Part A			
Zoning District		C5-3	
Special District Name			
Map Number		8D	
Part B Occupancy Classification			
Ex	Pr	Class	Name
		A	High Hazard
		B-1	Storage (Moderate Hazard)
		B-2	Storage (Low Hazard)
		C	Manufacture
		D-1	Industrial (Moderate Hazard)
		D-2	Industrial (Low Hazard)
X		E	Business
		F-1a	Assembly (Theaters)
		F-1b	Assembly (Churches, Concert Halls)
		F-2	Assembly (Outdoors)
		F-3	Assembly (Theatrical)
		F-4	Assembly (Restaurants)
		G	Education
		H-1	Institutional (Residential)
		H-2	Institutional (Nonresidential)
		J-1	Residential (Hotels)
		J-2	Residential (Apartment Houses)
		J-3	Three Family Dwelling
		J-4	Residential (1 and 2 Family Homes)
		K	Miscellaneous
			Old Code - Public Buildings
			Old Code - Residential Buildings
			Old Code - Commercial Buildings
Multiple Dwelling Classification (required for all J-1 and J-2 classifications)			
Part C Construction Classification			
Ex	Pr	Non-Combustible	Combustible
		I-A	4 Hour Protected
X		I-B	3 Hour Protected
		I-C	2 Hour Protected
		I-D	1 Hour Protected
		I-E	Unprotected
		II-A	Heavy Timber
		II-B	Protected Wood Joist
		II-C	Unprotected Wood Joist
		II-D	Protected Wood Frame
		II-E	Unprotected Wood Frame
			Old Code
			1 Fireproof Structures
			2 Fire-protected Structures
			3 Non-protected Structures
			4 Wood Frame Structures
			5 Metal Structures
			6 Heavy Timber Structures
Part D			
Number of Stories		23	
Gross Frontage Dimension (Dwellings only)		Ex	Pr
Height		276'	
Number of Dwelling Units		0	
Fire Protection Equipment		Voluntary	Required
Standpipe			
Sprinkler			
Fire Alarm System			
Part E			
Site Area Characteristics		Open Spaces	
Tree/Brush Water Wetlands	Forest Ponds	Leading Barbs	sq. ft.
Upland Wetlands	Fire District	Paving	sq. ft.
Total Gross Floor Area of Building		Number of Parking Spaces	Leading Barbs

### 11 Place of Assembly

Proposed Number of Persons		Old PA Number	
Lessee or Individual Responsible for Annual Permit Renewal Complete if different from building owner.			
Last Name		First Name	
Business Name		Business Phone	
Address		City	
		State	
		ZIP	

### 12 Signs

Coldest One		Non-Illuminated	
Type of Sign	Ground	Wall	Roof
Height above road level	ft.	ft.	ft.
Projection beyond the Building Line	ft.	ft.	ft.
Total Square Footage of Sign		sq. ft.	
Lessee or Individual Responsible for Annual Permit Renewal Complete if different from building owner.			
Last Name		First Name	
Business Name		Business Phone	
Address		City	
		State	
		ZIP	



### 13 Construction Equipment

Sidewalk Shed	Scaffold	Chute	Fence	Other
Material of Construction		BEAMA Approval Number		Sidewalk Shed/Under Fe

## 14 Fire Protection Equipment

2P Sprinkler	Automatic	Non-Automatic	Entire	Partial
FA Fire Alarm System	Automatic	Non-Automatic	Entire	Partial
SD Standpipe			Entire	Partial
	Automatic	Non-Automatic	Entire	Partial

### 15 Plot Diagram of Zoning Lot

Plot Diagram must show the correct street lines from the City Plan, the plot to be built upon in relation to the street lines and the portion of the lot to be occupied by the building; the legal grades and the existing grades, properly identified, of streets at nearest point, how the proposed buildings in each direction the South Numbers and the Blank and Lot Numbers, indicate dimensions of total lot lots.

## Street Status

Private	Public	Legal Width
---------	--------	-------------

**102074354**  
**DEPT. OF BLDGS.**



### Description of Land and Premises


The Zoning Lot on which the premises is located is bounded as follows:

beginning at a point on the	side of	distance	foot
of the corner formed by the intersection of	and		
running thence	feet thence		feet
thence	feet thence		feet
thence	feet thence		feet
thence	feet thence		feet
to the point of beginning.			

## 18 Comments

**For New Buildings - Minimum Number of Stories proposed:**

0	1	2
3	4	5
6	7	8

Statements and Signatures	
<b>Applicant's Statements</b> All applicants must complete and sign below <input checked="" type="checkbox"/> I prepared or supervised the preparation of the plans and specifications herewith submitted and to the best of my knowledge and belief, the plans and work shown thereon comply with the provisions of the Building Code and other applicable laws and regulations. <input type="checkbox"/> except as set forth in the accompanying documents. <b>Tract Housing Statement</b> Complete if applicable and sign below <b>Reference Job Number</b> <input type="checkbox"/> I hereby state that all specifications relating to this job are identical to those previously filed under the above referenced job number, except as specified herein. <b>Applicant</b> <input checked="" type="checkbox"/> I acknowledge that I have read and complied with all instructions pertaining to this application and supplementary schedules submitted. <b>Name</b> David B. Mann <b>Date</b> <b>Signature</b> <i>[Signature]</i> <b>Date</b> 7/27/88 <b>Seal (P.E. &amp; R.A.)</b> 	<b>Owner's Statements</b> <input checked="" type="checkbox"/> I have authorized the applicant to file this application for the work specified herein and all future amendments. <b>Owner's Certification Regarding Occupied Housing Accommodations</b> The building to be altered, or the site of the new building, or the dwelling to be demolished or removed, as the case may be, contains occupied housing accommodations subject to control under Chapter 2 of Title 26 of the Administrative Code. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No The owner has notified DOHCR of his intention to file such plan(s) for such permit(s) and has complied with all requirements imposed by the regulations of such agency as preconditions for such plan(s) application. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Fee Exemption Request Statement</b> In accordance with 26-270 of the New York City Building Code I hereby state that the proposed work involves a building or property used exclusively for the purpose indicated in each section. <b>Owner</b> <b>Type of Ownership</b> <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Non-Profit <input type="checkbox"/> Government <b>Last Name</b> Rudin <b>First Name</b> Jack <b>M.I.</b> <b>Title</b> Partner <b>Business Name/Agency</b> Rudin Management Co., Inc. / Agents for 40 East <b>Address</b> 345 Park Avenue <b>City</b> New York <b>State</b> NY <b>ZIP</b> 10154 <b>Phone</b> 212-407-2400 <b>Name of Signer</b> Richard Concannon V.P. <b>Relationship to Building Owner</b> Officer of Rudin Mgmt. Co. Inc. <b>Signature</b> <i>[Signature]</i> <b>Date</b> 9/11/88 <b>If Corporation, name of second officer</b> <b>Last Name</b> <b>First Name</b> <b>M.I.</b> <b>Title</b> <b>Address</b> <b>City</b> <b>State</b> <b>ZIP</b> <b>Phone</b>
Publication of any statement is a misdemeanor under Section 26-124 of the Administrative Code and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both.	

Internal Use	
<b>Application Complete for Filing and Fee Estimation</b> <b>Amount Due</b> <b>Cost Estimate (if different from application)</b> <b>Pre-Filer Name</b> <b>Date</b> <b>Initial Amount Paid</b> <b>Verified By</b> <b>Date</b> <b>Balance Paid</b> <b>Verified By</b> <b>Date</b> <b>Stamps and Certificates:</b> <div style="text-align: center; font-size: 2em; margin-top: 20px;">0010</div>	<b>Approvals</b> <b>Examined and Recommended for Approval</b> <b>Approved for</b> <input checked="" type="checkbox"/> Foundation <input checked="" type="checkbox"/> Earthwork Only <b>Examiner Name</b> <i>[Signature]</i> <b>Examiner Signature</b> <i>[Signature]</i> <b>Date</b> <b>Limitation (if To appear on permit)</b> SEP 15 1988 <div style="text-align: center; font-weight: bold; margin-top: 10px;">ACCEPTABLE FOR PERMIT UNDER DIRECTIVE NO. 14/1978</div> <b>Other Approvals</b> <b>Examiner Name</b> <b>Examiner Signature</b> <b>Date</b> <b>Approved</b> <b>Through Superintendent's Signature</b> <b>Date</b>

0010

THE CITY OF NEW YORK  
**WORK PERMIT**  
DEPARTMENT OF BUILDINGS

PERMIT NO. 102074354-01-EW.DT INITIAL ISSUED 09/21/98 EXPIRES 11/10/98

LOCATION MANHATTAN 40 EAST 52 STREET APPROVED 09/18/98

WORK ALT 2 - GEN. CONSTRUCTN.  
Removal of interior non-load bearing partitions and related finishes, as per

ZONING N/A SPECIAL DISTRICT N/A FIN: 13-3854424

SE N/A NO. DWELLINGS N/A STORIES N/A

TOTAL FLOOR AREA N/A LANDMARK N/A

MBD 10  
Randy A. Lironi, P.E. Antonia P. Lironi, R.A. COMMISSIONER OF BUILDINGS  
BOROUGH SUPERINTENDENT  
EMERGENCY TELEPHONE DAY 212 312-8530 NIGHTS & WEEKENDS 212 312-8280

# MEMORANDUM

State Liquor Authority  
License Bureau

**To:** Members of the Authority

**Date:** November 5, 1998

**From:** Deputy Commissioner Fred J. Gioffre

**Subject:** Serial # NEW OP 8460  
Starjem LLC  
dba: Fresco On The Go  
40 East 52nd Street  
New York, NY 10022

**REPRESENTATIVE:**  
Robert V. Ferreri, Esq.  
300 East 42nd Street  
New York, NY 10017  
212-972-7040

**For Direction:** Hardship, premises has only one bathroom applicant requests waiver of second bathroom requirement under Sec. 48.4(d) (2) of ABC Law.

---

The second bathroom for this premises is located in the applicants other premise Starjem Restaurant Inc., 34 East 52nd Street (NY OP 6650) Approximately 49' down the street.

Premises is located on first floor and is less than 3000 sq. feet. Major portion of business will be take out food during the lunch hour. The area between the seating and kitchen are counters for food display, for patrons to select what they wish to order, is 1/3 of space. 30% of space is kitchen office support and the first handicap bathroom, balance of premises is a small bar, 19 tables and 36 seats.

Affidavit of Anthony Scotto Jr. Attached.

Sussman

KJS/ch

ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

October 23, 1998

RICHARD H. BYRNES

**RECEIVED**

**OCT 26 1998**

**LICENSE PROCESSING**  
**Per** \_\_\_\_\_

Mr. Ken Sussman  
State Liquor Authority  
11 Park Place  
New York, New York 10007

Re: Starjem LLC  
40 East 52nd Street  
New York, New York 10022

Dear Mr. Sussman:

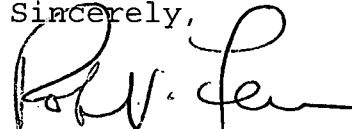
I understand that you have the above application for the purpose of preparing it for the full Board of the SLA.

Enclosed is a further certification in support of the application which argues for an alternative hardship under Section 48.9 of the rules.

I would appreciate your resubmitting the application to the License Board to see whether this certification would allow it to give the waiver. If not, you can then put it on the full Board calendar.

Very best regards.

Sincerely,



Robert V. Ferrari

RVF:hm  
Enclosure  
By Hand

**CERTIFICATION IN SUPPORT OF APPLICATION**

ANTHONY SCOTTO, JR., certifies to the New York State Liquor Authority ("SLA") as follows:

1. I am a manager/member of Starjem LLC ("Applicant"), the Applicant for an on premises liquor license at 40 East 52nd Street, New York, New York 10022 (the "Premises") and make this certification in support of Applicant's request to waive the requirement of two bathrooms at the Premises.

2. I understand that this application is being submitted to the full Board of the SLA because Applicant has only one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

Section 48.4(d)(2)

3. Section 48.4(d)(2) may be waived by the SLA "provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".

4. The principals of Applicant are also the principals of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street. The entrance to the Premises is located less than fifty feet from the entrance to Fresco (see diagram annexed as Exhibit A). Both patrons and employees of Applicant will be permitted to utilize Fresco's separate bathrooms.

5. Waiver of the second bathroom is being sought under this rule. The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

Section 48.9

6. Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by

(b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."

7. Annexed hereto as Exhibit B is the interior diagram of the Premises submitted with the application. As noted, the Premises are located on one floor and is less than 3000 square feet. The major portion of the anticipated business of the Premises will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the Premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and

nineteen tables with thirty-six indoor seats. As noted from the plan, the handicap bathroom is by law large enough to accommodate a wheelchair bound customer. If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

8. A second bathroom could possibly be installed in the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant. The reason for the high cost is the fact that there is another tenant occupying the space below the Premises and work on the drain line can only be done during evenings and weekends necessitating overtime charges and delay.

9. It should also be noted that the bar is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does



TOTAL P.05

not require drainage to a waste line.

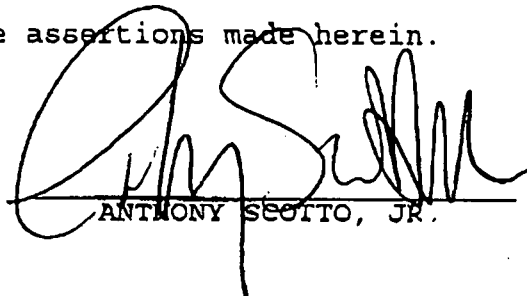
Summary

10. As noted, the major portion of the business will be take out food. There will only be thirty-six seats at the Premises which is not a very large number of persons for using only one bathroom. Moreover, the restaurant concept is casual dining and seated customers will be at the Premises most likely for less than an hour which means less use of the bathrooms. [If the objection is to using another store forty-nine feet away and walking outdoors, this objection should not apply to the patrons occupying the sidewalk cafe because they are already outdoors.]

11. It is respectfully requested that the SLA waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant in installing such second bathroom.

12. This affirmation is submitted knowing that the SLA will rely on the truth of the assertions made herein.

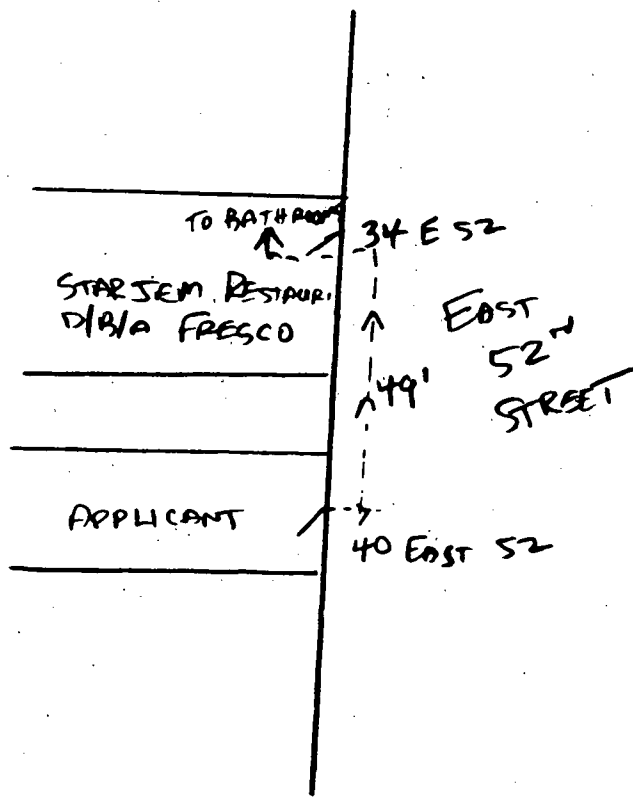
Dated: October 22, 1998



ANTHONY SCOTTO, JR.



# DIAGRAM TO BATHROOMS



Page 1 of 1

5

proval



ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

September 25, 1998

RICHARD H. BYRNES

Mr. Mike Sikowsky  
Senior Investigator  
State Liquor Authority  
11 Park Place  
New York, New York 10007

Re: Starjem LLC  
40 East 52nd Street  
New York, New York 10022

Dear Mr. Sikowsky:

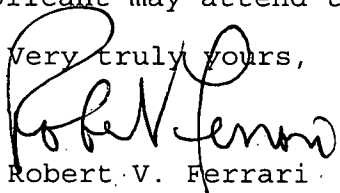
This is to confirm our telephone conversation today during which you informed me that the fact that there is only one bathroom on the applicant's premises poses a problem for approval, even though two additional bathrooms are offered at the premises 49 feet away owned by the applicant's principals.

Enclosed is a copy of Section 48.4(d)(2) of the SLA rules and regulations which provides that the requirement of two bathrooms may be waived by the Authority "provided there is a satisfactory showing that such facilities are in an area adjacent or proximate to the licensed premises and available to the patrons thereof".

It is the contention of the applicant that the other premises meet this standard for waiver.

Accordingly, it is requested that in the event that the License Bureau will not approve the application based on the aforesaid rule, that the application be submitted to the full Board for consideration. In the event such submission to the full Board is made, I would greatly appreciate notice so that myself and principals of the applicant may attend the meeting.

Very truly yours,

  
Robert V. Ferrari

RVF:hm  
Enclosure  
cc: Mr. Anthony Scotto w/encl.

RECEIVED

SEP 28 1998

LICENSE BOARD

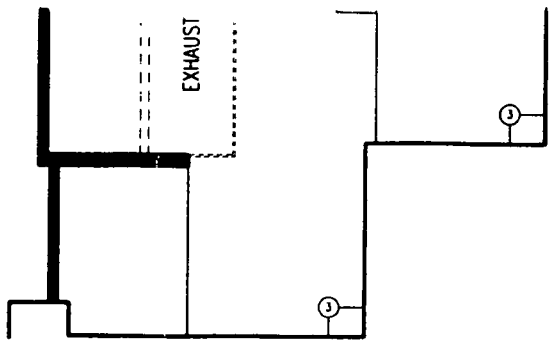
Per \_\_\_\_\_

1	PLASTIC LAM.	BACK COUNTER MILLWORK ONLY - COLOR TBD	BY G.C.
1	WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.
2	WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.



DOOR NUMBER  
SEE DOOR SCHEDULE

SCHEDULED FINISH



2 MEZZANINE PLAN  
SCALE: 1/8"=1'-0"

SCHEDULE

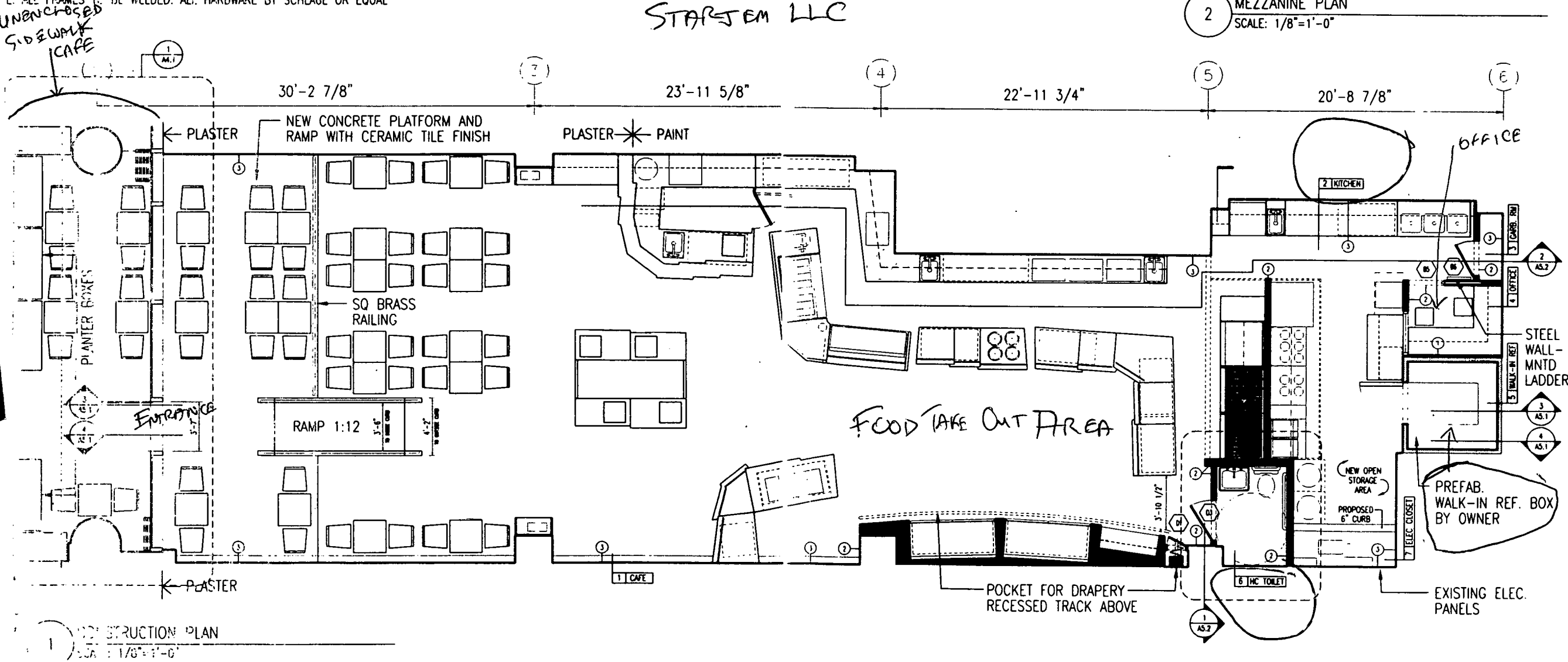
SIZE	DESCRIPTION
1'-4"x7'-0"	PAINTED HOLLOW METAL
2'-8"x7'-0"	PAINTED HOLLOW METAL
2'-8"x7'-0"	PAINTED HOLLOW METAL
2'-8"x7'-0" PK	POCKET DOOR PNTD WOOD

NO.	SIZE	DESCRIPTION
D6	2'-6"x7'-0"	PAINTED HOLLOW METAL
D7	3'-0"x7'-0"	PAINTED HOLLOW METAL
D8	3'-0"x7'-0"	PAINTED HOLLOW METAL

H.C. TOILET FIXTURES

REF	ITEM	MANUFACTURER	DESCRIPTION
TL1	TOILET	AM. STANDARD	2257.103 AFWALL
LV2	LAVATORY	WATERWORKS	RICHMOND THR124
LF1	FITTINGS	CHICAGO	802A-669
GB1	GRAB BARS	ASI-SIMPLICITY	3200 SERIES (36", 42")

E. ALL FRAMES TO BE WELDED. ALL HARDWARE BY SCHLAGE OR EQUAL



1 CONSTRUCTION PLAN  
SCALE: 1/8"=1'-0"



STATE LIQUOR AUTHORITY

STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

84 Holland Avenue  
Albany, New York 12208

11 Park Place  
New York, New York 10007

125 Main Street  
Buffalo, New York 14203

IN REPLYING REFER TO

DEC 2 - 1998  
NOVEMBER 25, 1998

MARION SCOTTO  
350 EAST 72<sup>ND</sup> STREET  
NEW YORK, NY 10021

Re: NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO  
40 EAST 52<sup>ND</sup> STREET  
NEW YORK, NY 10022

APPROVAL EXPIRATION  
DATE: 5/18/99

Dear Sir:

The Members of the Authority at their regular meeting held on 11/18/98 approved your application for an ON PREMISES LIQUOR LICENSE waiving requirement of two (2) separate sanitary facilities and subject to submission by you of an affidavit to our LICENSE PROCESSING UNIT, 11 Park Place, New York, NY 10007, 3<sup>rd</sup> floor, indicating compliance with the following conditions:

- ✓ 1. That the premises are constructed and equipped in accordance with the plans and specifications as approved by the Liquor Authority.
- ✓ 2. That the premises will be provisioned, staffed and conducted in accordance with the plan of management and/or method of operation submitted with the application to the Liquor Authority.
- ✓ 3. That the financing of the business, including the construction of the proposed premises is in accordance with information supplied in support of the application to the Liquor Authority.
- ✓ 4. That the premises have been completed and are ready to be opened and operated by the applicant.
- ✓ 5. Subject to submission of two photographs of both the exterior and interior of premises 5"x7" are to be submitted showing premises open and operating.
- ✓ 6. Subject to submission of SLA FORM 180-12, in duplicate, if you are an employer of one or more employees or a corporation.

- continued -

NEW YORK OP 8460  
STARJEM LLC  
DBA: FRESCO ON THE GO

DEC 2 - 1998  
NOVEMBER 25, 1998

-2-

- ✓ 7. Subject to submission of a valid Certificate of Occupancy reflecting the current use of these premises.

This letter of approval shall be void if you do not comply with the conditions contained in this letter prior to the expiration date set forth above. If you cannot comply within the time allowed, you may send an extension of time. Instructions for making application for an extension of this letter of approval are enclosed herewith.

Very truly yours,

STATE LIQUOR AUTHORITY

*Barbara Joanni Lord*

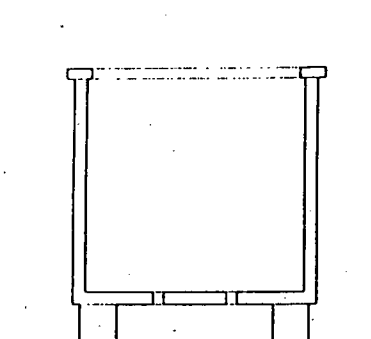
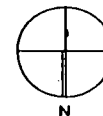
BARBARA JOANNI LORD  
SECRETARY TO THE AUTHORITY

BJL:dr

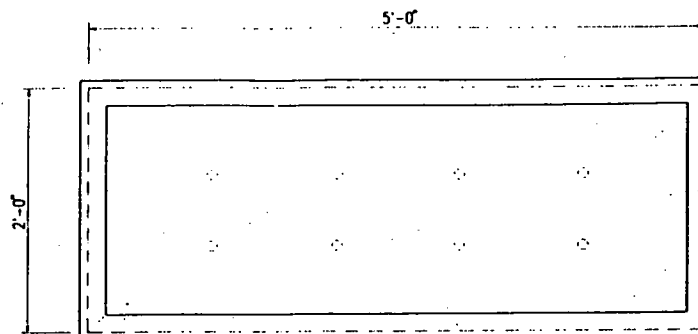
ENCLS.: FORM 2-33 STIPULATION  
FROM LB-38 INSTRUCTIONS  
FORM 180-12

✓ CC: ROBERT V. FERRARI, ESQ.  
300 EAST 42<sup>ND</sup> STREET  
NEW YORK, NY 10017

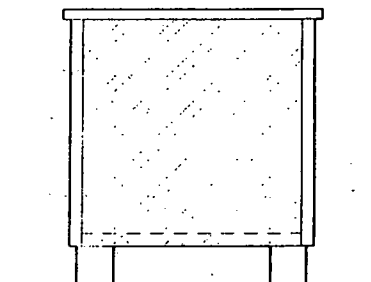




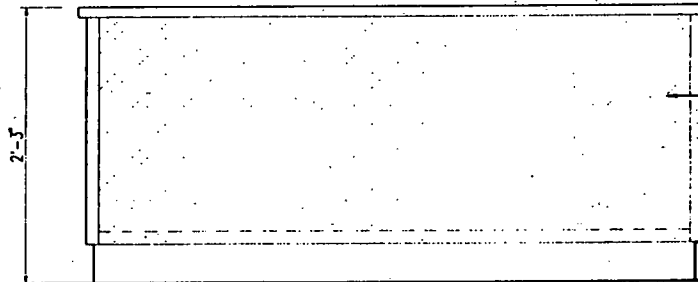
1 SECTION @ PLANTER BOX  
SCALE: 1"=1'-0"



2 PLAN @ PLANTER BOX  
SCALE: 1"=1'-0"



3 SIDE ELEVATION  
SCALE: 1"=1'-0"



4 FRONT ELEVATION  
SCALE: 1"=1'-0"

P.T. WOOD  
PLANTER BOX  
P.T. WOOD  
SLATS  
PLANTER BOX  
TO MATCH EXISTING

M.R. ARCHITECTURE & DECOR  
613 BROADWAY ROOM 524  
NEW YORK, NEW YORK 10012  
T 212.529.0606 F 212.529.0303

WRL:  
WOOD PLANTER  
BOX DETAILS

PROJECT:  
**FRESCO**  
40 EAST 52ND STREET  
NEW YORK, NY

DATE: MAY 6 1998

SCALE: 1"=1'-0"

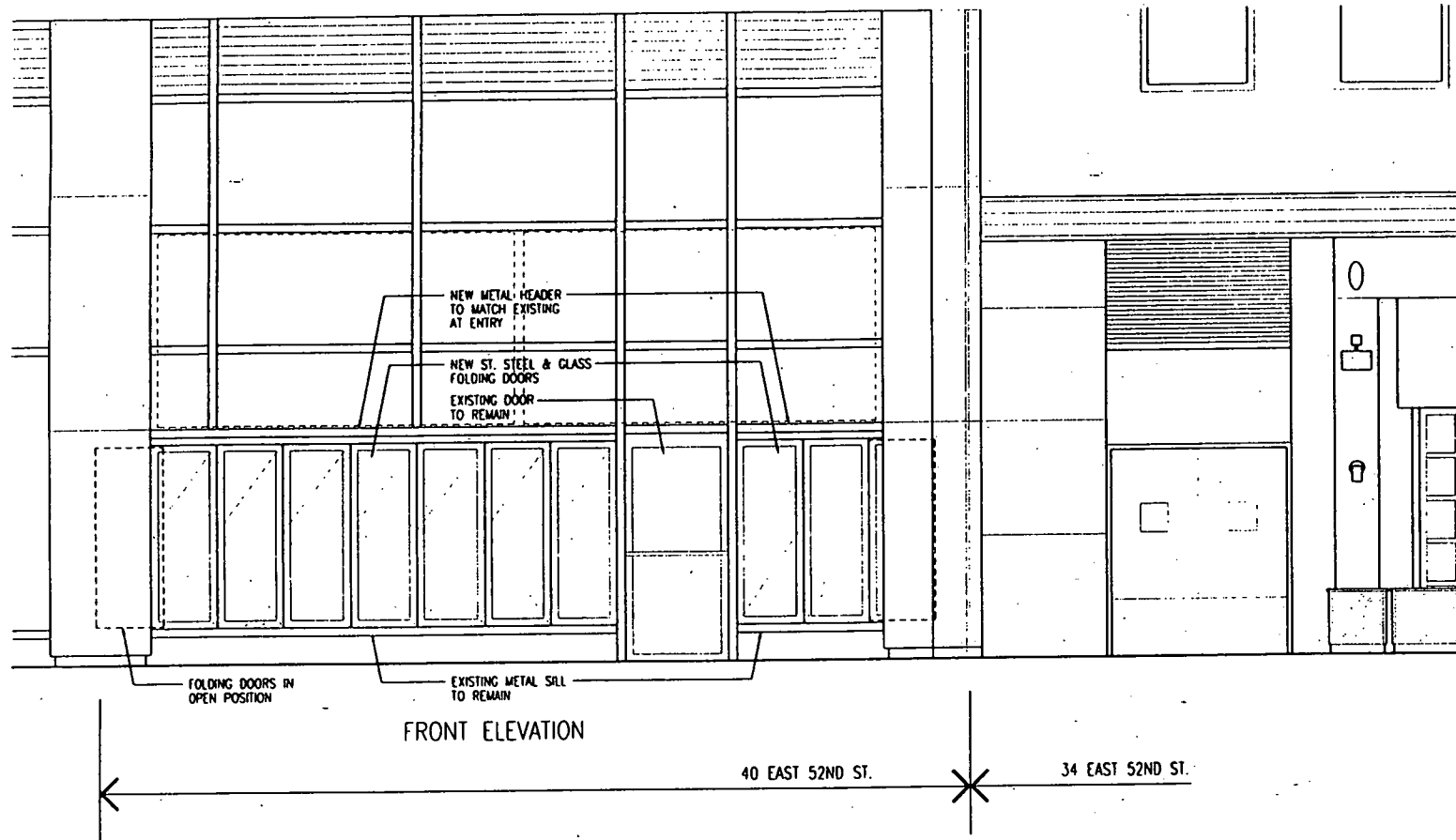
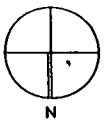
DRAWN:

JOB NO: 0013

DWG FILE: DWG3/TWP1.dwg

SHEET:

P.4



NO. DATE: REVISION:  
**M.R. ARCHITECTURE & DECOR**  
611 BROADWAY ROOM 834  
NEW YORK, NEW YORK 10012  
T. 212.579.0406 F. 212.579.8383

W.D.  
**PROPOSED EXT.  
IMPROVEMENT  
ELEVATION**

PROJECT:  
**FRESCO**  
40 EAST 52ND STREET  
NEW YORK, NY

DATE: MAY 6 1998

SCALE: 1/8"=1'-0"

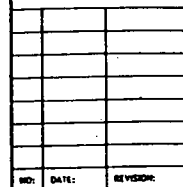
DRAWN:

JOB NO: 9813

DWG FILE: DWG3/FRONT.dwg

SHEET:

P.3



PROPOSED EXT.  
IMPROVEMENT  
ELEVATION

PROJECT:

40 EAST 52ND STREET  
NEW YORK, NY

DATE: MAY 6 1968

SCALE: 1/8" = 1'-0"

DRAWING:

JOB NO: 9813

ENC. 1A: ODCS/TSP 1.0-9

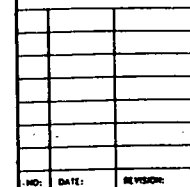
SAFETY

P.2



40 EAST 52ND ST.

34 EAST 52ND ST.



**M.A. ARCHITECTURE & DECOR**  
611 BROADWAY ROOM 534  
NEW YORK, NEW YORK 10012  
T 212.529.0806 F 212.529.0303

TITLE: PROPOSED EXT. IMPROVEMENT PLAN

PROJECT:

**F R E S C O**  
40 EAST 52ND STREET  
NEW YORK, NY

DATE: MAY 6 1966

SCALE: 1/8"=1'-0"

DRAWN:

JOB NO: 9813

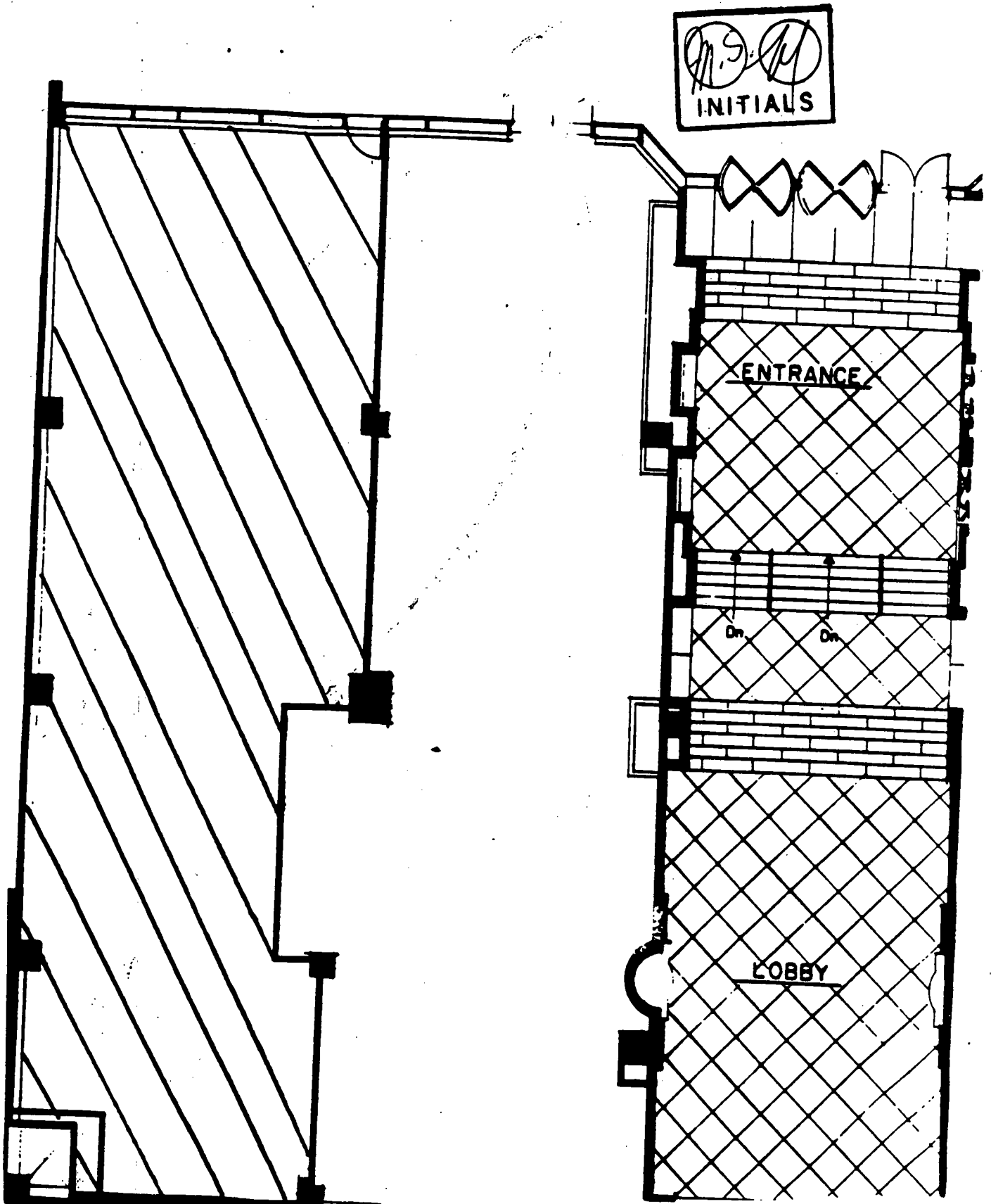
DOC FILE: DOC3/TSP1.0-4

**SUMMARY:**

P.1

EXHIBIT I

This floor plan of a portion of the street level store in the Building known as 40 East 52nd Street, New York City, is annexed to this Lease and is made a part hereof solely to delineate by outlining and diagonal markings the Demised Premises. All areas, dimensions, conditions and locations are approximate.



BANK

— MADISON AVENUE —

BATH &  
BODY  
SHOP

BAKERT-SALAO BAR-  
GROBERT-DELI

#UNAVAILABLE  
FRESCO  
RESTAURANT  
34 E. 52ND STREET

BUILDING  
SERVICE  
ENTRANCE

APPLICANT

GYM- HEALTH  
CLUB

OFFICE  
BUILDING ENTRANCE

OPTICAL

GARAGE

INVESTMENTS

49'

— EAST 52ND STREET —

— PARK AVENUE —

BANK

OMNI BERKSHIRE  
PLACE- HOTEL

WATCHES-  
JEWELRY

OPTICIANS

BUILDING  
SERVICE  
ENTRANCE

PHARMACY

OFFICE  
BUILDING  
ENTRANCE

CLOTHING

- ATRIUM -  
- SHOPS -

DRIVEWAY

BANK

OFFICE BUILDING

AREA SURVEY  
40 EAST 52ND STREET  
NEW YORK, N.Y.  
JULY B. 1998: NOT-TO-SCALE  
STARTECH LLC

FINISH SCHEDULE

REF.	ITEM	DESCRIPTION	TELEPHONE
B-1	CERAMIC BASE	5" BASE (BS) ROCKS BY COLORMASSA, COLOR 11072 URALI	212-979-6400 by STONE SOURCE
CT-1	CERAMIC TILE	15"x15" ROCKS BY COLORMASSA, COLOR 11072 URALI	212-979-6400 by STONE SOURCE
GL-1	GLASS	1/4" THICK CLEAR SNEEZE GUARDS	BY G.C.
GT-1	GLASS TILE	TESSERA RECYCLED IRIDESCENT TILE COLOR: AMBER 09	212-255-4450 by TILES
M-1	METAL	BRASS	BY G.C.
PA-1	PLASTER	GLAZE PLASTER 7394 YELLOW OCHRE STONE	212-966-0676 by FRESCO
P-1	PAINT	BM	BY G.C.
P-2	PAINT	BM	BY G.C.
P-3	PAINT	BM	BY G.C.
P-4	PAINT	BM	BY G.C.
PL-1	PLASTIC LAM.	BACK COUNTER MILLWORK ONLY - COLOR TBD	BY G.C.
WD-1	WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.
WD-2	WOOD	HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT	BY G.C.

DOOR SCHEDULE

NO.	SIZE	DESCRIPTION	NO.	SIZE	DESCRIPTION
D1	1'-4"x7'-0"	PAINTED HOLLOW METAL	D6	2'-6"x7'-0"	PAINTED HOLLOW METAL
D2	2'-8"x7'-0"	PAINTED HOLLOW METAL	D7	3'-0"x7'-0"	PAINTED HOLLOW METAL
D3	2'-8"x7'-0"	PAINTED HOLLOW METAL	D8	3'-0"x7'-0"	PAINTED HOLLOW METAL
D5	2'-6"x7'-0" PK	POCKET DOOR PNTD WOOD			

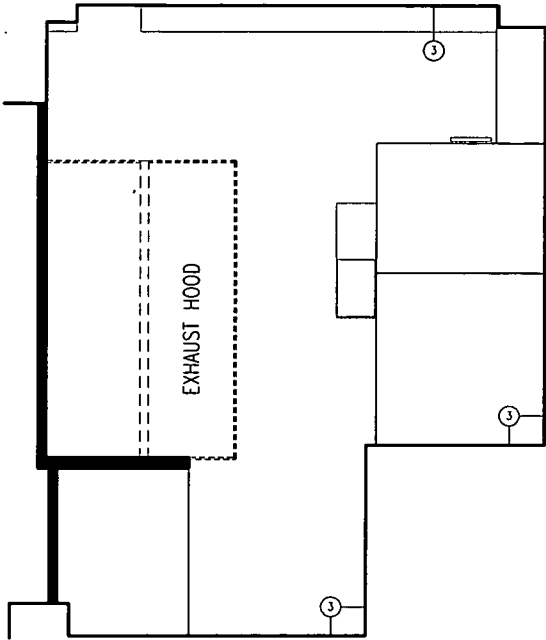
NOTE: ALL FRAMES TO BE WELDED. ALL HARDWARE BY SCHLAGE OR EQUAL

LEGEND

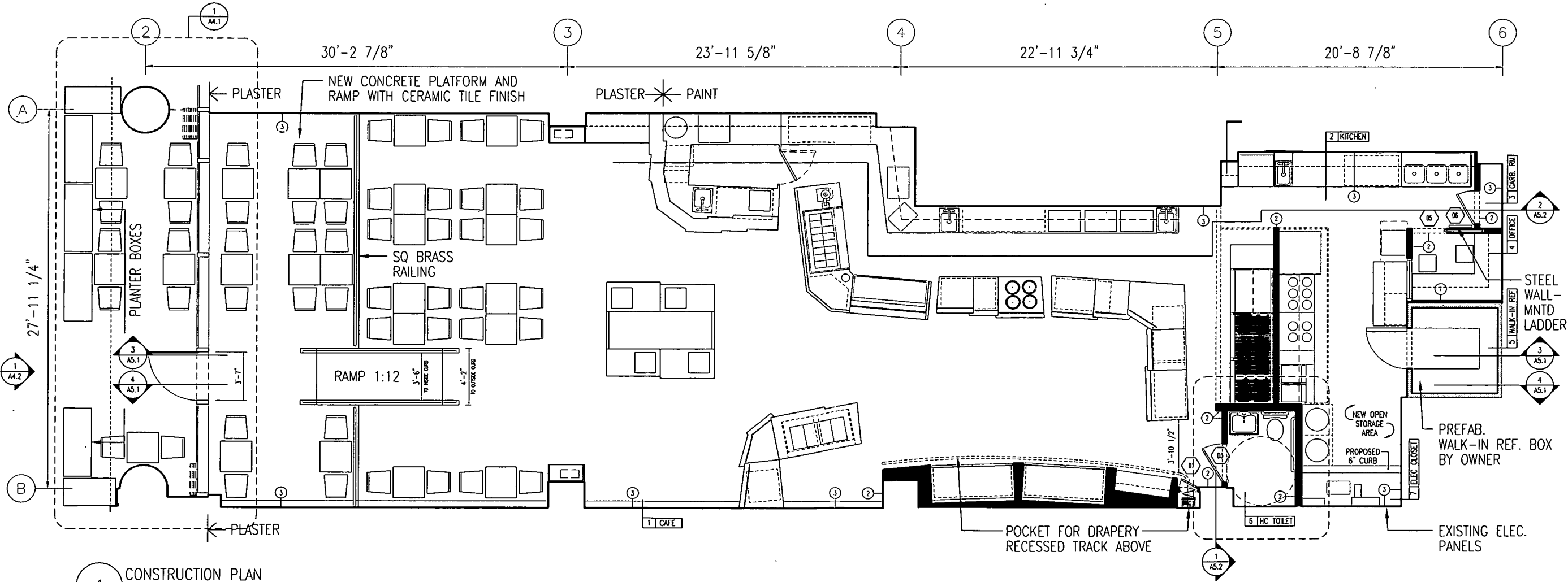
- 2 KITCHEN
- NEW FURRED PARTITION  
LAYER 5/8" BYP BD ON 7/8" MTL  
STUDS
- NEW FULL HEIGHT PARTITION  
2 LAYERS OF 5/8" GYP BD EACH SIDE  
OF 3-5/8" MTL STUDS
- REPAIR OR LAMINATE EXISTING GYPSUM BD  
PARTITION TO RECEIVE NEW SMOOTH  
SCHEDULED FINISH
- DOOR NUMBER  
SEE DOOR SCHEDULE

H.C. TOILET FIXTURES

REF	ITEM	MANUFACTURER	DESCRIPTION
TL1	TOILET	AM. STANDARD	2257.103 AFWALL
LV2	LAVATORY	WATERWORKS	RICHMOND THR124
LF1	FITTINGS	CHICAGO	802A-669
GB1	GRAB BARS	ASI-SIMPLICITY	3200 SERIES (36", 42")



2 MEZZANINE PLAN  
SCALE: 1/8"=1'-0"



1 CONSTRUCTION PLAN  
SCALE: 1/8"=1'-0"

INTERIOR  
DIAGRAM

TITLE:  
CONSTRUCTION  
PLAN &  
DOOR SCHEDULE

PROJECT:  
FRESCO  
ON THE GO  
STARJEM LLC  
40 EAST 52ND STREET  
NEW YORK, NY

DATE: AUGUST 13 1998

SCALE: 1/8"=1'-0"

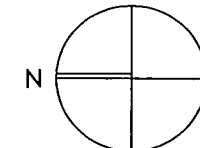
DRAWN: AM/RP

JOB NO: 9813

DWG FILE: DWGS/FR-PLAN.dwg

SHEET:

A1.1



2	7-9-98	
1	7-7-98	BID ISSUE
NO:	DATE:	REVISION:

**M.R. ARCHITECTURE & DECOR**  
611 BROADWAY ROOM 534  
NEW YORK, NEW YORK 10012  
T 212.529.0606 F 212.529.0303

TITLE:  
**EXTERIOR  
IMPROVEMENT  
ELEVATION**

PROJECT:  
**FRESCO  
ON THE GO**  
40 EAST 52ND STREET  
NEW YORK, NY

DATE: AUGUST 13 1998

SCALE: 1/4"=1'-0"

DRAWN:

JOB NO: 9813

DWG FILE: DWGS/FR-EXT1.dwg

SHEET:

**A4.2**



## NOTIFICATION RIDER TO APPLICATION

**All applicants for On Premise Liquor Licenses, MUST complete Section C.**

### NOTICE TO MUNICIPALITY/COMMUNITY BOARD

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of an application for a license to sell liquor at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

#### CERTIFICATION RIDER TO APPLICATIONS

I hereby certify that I have complied with the requirements of Section 64, Subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my application to become licensed, by certified mail, return receipt requested to the Clerk of the City, Town, Village (circle one) of \_\_\_\_\_ or, in New York City, the Clerk of Community Board # 5 Borough of Manhattan, where the premises are located.

Marion Scott  
Signature

August 20, 1998  
Date

**NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.**

**\*The original receipt and a copy of the letter sent to the municipality must be presented when you file your application. Copies of the receipt will not be accepted.**

### PHONE LISTINGS FOR NEW YORK CITY RESIDENTS

If you are unsure of which community board serves the area in which your premises are located, call the number listed below for the office of your Borough President:

<u>Manhattan</u>	<u>Bronx</u>	<u>Queens</u>	<u>Staten Island</u>	<u>Brooklyn</u>
212-669-8300	718-590-3500	718-286-2900	718-816-2200	718-802-3700

P 185 812 682

US Postal Service

# **Receipt for Certified Mail**

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
COMMUNITY BOARD #5	
Street Number	
450 Seventh Avenue	
Suite 2109	
Post Office, State, & ZIP Code	
New York, New York 10001	
Postage	\$ .32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	10.10.88
Return Receipt Showing to Whom, Date, & Addressee's Address	1008
TOTAL Postage & Fees	3.67
Postmark or Date	10.10.88

PS Form 3800 April 1995

RECEIPT  
POSTED

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article; date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

PS Form 3800, April 1995 (Reverse)

ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

---

RICHARD H. BYRNES

August 19, 1998

Community Board #5  
450 Seventh Avenue  
Suite 2109  
New York, New York 10001

Re: Starjem LLC  
d/b/a Fresco on the Go  
40 East 52nd Street  
New York, New York 10022

Dear Sir/Madam:

As attorney for the above restaurant, I am advising you that Starjem LLC intends to apply to the State Liquor Authority for an on premises liquor license at the above location. The owners of Starjem LLC also own and operate Fresco, a fine dining establishment located at 34 East 52nd Street.

Notice is hereby given pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

  
Robert V. Ferrari

RVF:hm  
Via Certified Mail, Return  
Receipt Requested

**ATTORNEY AT LAW**

TELECOPIER (212) 922-1939

**RICHARD H. BYRNES**

Community Board #5  
450 Seventh Avenue  
Suite 2109  
New York, New York 10001

Re: Starjem LLC  
d/b/a Fresco on the Go  
40 East 52nd Street  
New York, New York 10022

As attorney for the above restaurant, I am advising you that Starjem LLC intends to apply to the State Liquor Authority for an on premises liquor license at the above location. The owners of Starjem LLC also own and operate Fresco, a fine dining establishment located at 34 East 52nd Street.

Very truly yours,

Robert V. Ferrari

RVF:hm  
Via Certified Mail, Return  
Receipt Requested

289 218 581 d

**US Postal Service**  
**Receipt for Certified Mail**

**No Insurance Coverage Provided.**

**Do not use for International Mail (See reverse)**

Sent to COMMUNITY BOARD #5 Suite 2100 300 West 10th Avenue Suite 2100 Post Office, State, & Zip Code New York, New York 10001	\$ 1.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Sent to Whom & Date Delivered Return Receipt Sent to Whom Date, & Addressee's Signature	
TOTAL POSTAGE & FEES PAID	2.67
RECEIVED REQUESTED	

PS Form 3800 April 1995



ENDING

March 26  
At 6:30am

DELIVER

Taxi

P.O.

R. M. M.

ESCO

The Go









COMING IN  
SEPTEMBER

**FRESCO**  
by Fresco  
**On The Go**

*Breakfast  
Lunch*

*To Go/Delivery*

*Catering*

*Eat in/Eat Out*

NO STOPPING  
EXCEPT IN CASES OF  
EMERGENCY  
7 AM - 7 PM  
←

STATE OF NEW YORK - LIQUOR AUTHORITY  
Renewal Application (Directions for Completion enclosed)

License fee: 3,400.00  
Filing fee: 90.00  
Total fee due: 3,490.00  
Due now if choosing installment option: 1,790.00

New effective date: 03/01/2001  
New expiration date: 02/28/2003

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

051691

FELECIA POULIE

RECEIVED JAN 30 2001

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an alternate address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATA ENTERED

NEW SERIAL#: 1027037 OLD SERIAL#: 011NEWOP0008460252  
40 E 52ND STREET NEW YORK, NY 10022

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

ALL QUESTIONS MUST BE ANSWERED.

Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority write "YES" in Box #1 and set forth details of changes in facts in the appropriate schedules A and/or B on the reverse side. If no changes in facts have occurred, write "NO" in Box #1.

1. No

2. State whether said licensed business presently is regularly kept open and operated by the applicant.

YES NO  
2. ☒ ☐

3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office.

3. ☐ ☐

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION.

THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of PARTNERSHIP

INDIVIDUAL APPLICANTS AND EACH MEMBERS OF PARTNERSHIP COMPLETE THIS SECTION.

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority

Date \_\_\_\_\_

(Signature of licensee(s))

(Residence)

(Home Phone)

THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION

CORPORATE OFFICER COMPLETE THIS SECTION

ELAINA SCOTTO-FAUCETTA certifies that he is LLC MEMBER

(Title)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Dated 1/25/01

Elaina Scotto-Faucetta

(Signature of authorized officer)

360 East 88th Street, New York, NY 10028

(Residence)

(212) 826-3687

(Home Phone)

DATE

APPROVED

DISAPPROVED

S.L.A. BY

STATE OF NEW YORK - LIQUOR AUTHORITY  
(Renewal Application)

ADDRESS CHANGES OR CORRECTIONS: Note if address was changed by Post Office, City, Town, Village or 911 Emergency Systems, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (If different)
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)
Landlord Name		Landlord Address

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

Use this schedule "A" to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported had not been acknowledged by the Authority. (If more space is needed, attach rider).

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case

1b. Use this schedule, "B" to set forth details of any outstanding loans and/or such "changes" (other than arrests, etc.) which had not been reported to the Authority or having been reported, had not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

Nature of Change	Date	Details

NOTIFICATION RIDER TO RENEWAL APPLICATION

ON PREMISES LIQUOR LICENSEES ONLY MUST COMPLETE THIS SECTION

NOTICE TO MUNICIPALITY/COMMUNITY BOARD

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of an application for a license to sell liquor at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

CERTIFICATION RIDER TO APPLICATIONS

I hereby certify that I have complied with the requirements of Section 64, subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my application to become licensed, by certified mail, return receipt requested to the Clerk of the City, Town, Village (circle one) of \_\_\_\_\_, or, in New York City, the Clerk of Community Board # 5 Borough of Manhattan where the premises are located.

FRESCO ON THE GO

Trade Name

40 East 52nd Street, New York, New York 10022

Address of Premises

*Glenn Scott-Faucetta*

Signature

1027037

License Number

1/25/01

Date

NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.

You must keep the certified mail receipt for your records!

# EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

100 WILLIAM STREET • NEW YORK, N.Y. 10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

BOND EXPIRES IN

BOND NUMBER

001--15

X-B12868--00

FEBRUARY, 2003

Penal Sum of Bond

KNOW ALL MEN BY THESE PRESENTS, that we,

1,000.00 Plus Costs

Name of Applicant

Address of Place of Business

STARJEM LLC  
FRESCO ON THE GO

40 EAST 52ND STREET  
NEW YORK NY 10022

In the county of NEW YORK State of NEW YORK as Principal, and  
having an office and usual place of business at

GREAT AMERICAN INSURANCE COMPANY  
5 DAKOTA DRIVE  
LAKE SUCCESS NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 25 day of JANUARY,

2001

STARJEM LLC L.S.  
Principal  
BY: Glenn Scott-Francis

GREAT AMERICAN INSURANCE COMPANY

↑  
APPLICANT MUST SIGN HERE

DATA ENTERED

John L. Corneau  
Attorney-in-fact

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

CONDITIONS

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

ON-PREMISES LIQUOR LICENSE

2003 1 NEW OP 8460 252



LICENSE EFFECTIVE 03/01/2001

LICENSE EXPIRES 02/28/2003

# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

SERIAL 1027037  
COUNTY NEW YORK  
CERTIFICATE NUMBER 543482

FILING FEE \$90.00  
LICENSE FEE \$3,400.00  
CYCLICAL CREDIT GROUP 3

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

Edward F. Kelly  
CHAIRMAN

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES, DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

**EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

**TO THE LICENSEE**

Please be advised that an AUTHORIZATION  
FOR REFUND OF OVERPAYMENT, described  
herein, is being processed for payment.

When making inquiry, please refer to date below.

Zone 1 County New Class 25

Refund Request No. N4 7897

Sheet No. N692

Date: MAY 21 1999

Serial No.: 1 OP 8460

To: COMPTROLLER  
Payment is herewith authorized to the below described  
Licensee.

LICENSEE (Name and Address)

Starjem LLC  
c/o Marion Scotto

ATTORNEY OF RECORD (Name and Address)

License Cert. No.: \_\_\_\_\_

1. Date application filed: 8/21/98
2. FEES RECEIVED:
  - (a) Deposit dates (all) 9/26/98
  - (b) Filing Fee (amount) \$ 100.00
  - (c) Consumer Fees, etc. (If any-total)  
\$ \_\_\_\_\_
  - (d) License fees receive (Total-exclusive of filing  
and consumer fees \$ 5100.00

and

number of full months such license fees  
represent 36
3. Date Notice of Approval sent n/a
4. Date License issued (or effective ) 3/22/99
5. Number of months (including month of issue or  
effective) to expiration  
(minimum 6 months) 24  
  
and amount of money such months  
represents \$3400.00
6. Amount of refund \$1700.00

no refund has previously been approved on account  
of said overpayment.

STATE OF LIQUOR AUTHORITY

by: Marion Way

# New York State Liquor Authority

11 Park Place Third Floor  
New York, NY 10007  
(212) 417-4014  
Fax: (212) 417-4910

## RE: AUTHORIZATION FOR REFUND OF OVERPAYMENT

Date:

### TO THE LICENSEE:

Please be advised that an  
AUTHORIZATION FOR REFUND OF  
OVERPAYMENT, described herein, is  
being processed for payment.

### TO: COMPTROLLER

Payment is hereby authorized to:

LICENSEE (Name and Address)

*Harjiv LLC*  
*90 Marion Gatto*

ATTORNEY OF RECORD (Name and Address)

When making inquiry, please refer to  
Data below.

Zone 1 County NY Class 252

Refund Request No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

Serial No. \_\_\_\_\_

License Certificate No. 10P 8460

1. Date Application Filed 8/21/98

### 2. FEES RECEIVED

(a) Deposit dates (all) 9/26/98

(b) Filing Fee \$ 100-

(c) Consumer Fees, etc (if any)

\$ \_\_\_\_\_

(d) License Fees Received

(exclusive of b & c above)

\$ 5100-

Number of full months

such lic. fees represent

36

3. Date Notice of Approval sent N/A

4. Date License Issued/Effective 3/22/99

5. Number of months (including month  
of issue/effective) to Expiration

(minimum 6 months) 24

Amount of money such months

represent 3400-

6. AMOUNT OF REFUND \$ 1700 -

No refund has previously been approved  
On account of said overpayment.

STATE LIQUOR AUTHORITY

By \_\_\_\_\_



STATE OF NEW YORK - LIQUOR AUTHORITY  
Renewal Application (Directions for Completion enclosed)

License fee: 4,352.00  
Filing fee: 90.00  
Total fee due: 4,442.00

New effective date:  
New expiration date:

02/28/2005

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

143020

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an address other than the licensed premises address:

NEW SERIAL#: 1027037 OLD SERIAL#: 031NEW OP0008460252  
40 E 52ND STREET NEW YORK, NY 10022

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

ALL QUESTIONS MUST BE ANSWERED.

Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority write "YES" in Box #1 and set forth details of changes in facts in the appropriate schedules A and/or B on the reverse side. If no changes in facts have occurred, write "NO" in Box #1.

1. NO

2. State whether said licensed business presently is regularly kept open and operated by the applicant. YES ☒ NO ☐
3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority. ☐ Not Applicable ☒

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION.

THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP

INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Date \_\_\_\_\_

(Signature of licensee(s))

(Address)

(Home Phone)

THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION

CORPORATE OFFICER COMPLETE THIS SECTION

ELAINA SCOTIO-FAUCETT certifies that he is an LLC MEMBER

(Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Dated FEBRUARY 6, 2003

(Signature of authorized officer)

(Address and Home Telephone)

DATE

APPROVED

DISAPPROVED

S.L.A. BY

STATE OF NEW YORK - LIQUOR AUTHORITY  
(Renewal Application)

ADDRESS CHANGES OR CORRECTIONS: Note if address was changed by Post Office, City, Town, Village or 911 Emergency Systems, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (If different)
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)
Landlord Name		Landlord Address

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

Use this schedule "A" to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. (If more space is needed, attach rider).

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case

1b. Use this schedule, "B" to set forth details of any outstanding loans and/or such "changes" (other than arrests, etc.) which have not been reported to the Authority or having been reported, had not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

Nature of Change	Date	Details

NOTIFICATION RIDER TO RENEWAL APPLICATION

ON PREMISES LICENSEES ONLY MUST COMPLETE THIS SECTION

NOTICE TO MUNICIPALITY/COMMUNITY BOARD

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested. You must keep the certified mail receipt for your records.

CERTIFICATION RIDER TO APPLICATIONS

I hereby certify that I have complied with the requirements of Section 64, subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my renewal application to become licensed, by certified mail, return receipt requested to the Clerk of the City, Town, Village (circle one) of \_\_\_\_\_, or, in New York City, the Clerk of Community Board # 5 Borough of MANHATTAN where the premises are located.

FRESCO ON THE GO  
Trade Name

40 EAST 52<sup>ND</sup> STREET, NEW YORK, NY 10022  
Address of Premises

[Signature]  
Signature

1027037  
License Number

FEBRUARY 6, 2003  
Date

NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.

You must keep the certified mail receipt for your records!

# EXCISE BOND UNDERWRITERS

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y. 10038

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

BOND EXPIRES IN

BOND NUMBER

001--15

X-B12868--00

FEBRUARY, 2005

Penal Sum of Bond

KNOW ALL MEN BY THESE PRESENTS, that we,

1,000.00 Plus Costs

Name of Applicant

Address of Place of Business

STARJEM LLC  
FRESCO ON THE GO

40 EAST 52ND STREET  
NEW YORK NY 10022

In the county of NEW YORK State of NEW YORK as Principal, and  
having an office and usual place of business at  
GREAT AMERICAN INSURANCE COMPANY  
5 DAKOTA DRIVE  
LAKE SUCCESS NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit, or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 6<sup>th</sup> day of FEBRUARY

2003

STARJEM LLC

Principal

L.S.

BY:

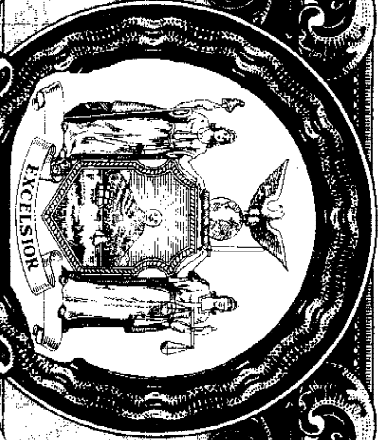
GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE

Attorney-in-fact

ON-PREMISES LIQUOR LICENSE

2005 1 NEW OP 8460 252



LICENSE EFFECTIVE 03/01/2003

LICENSE EXPIRES 02/28/2005

# NEW YORK STATE LIQUOR AUTHORITY


THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

SERIAL 1027037  
COUNTY NEW YORK  
CERTIFICATE NUMBER 598256

FILING FEE \$90.00  
LICENSE FEE \$4,352.00  
CYCLICAL CREDIT GROUP 3

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

  
Edward F. Kelly  
CHAIRMAN

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSEE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (1/199)

Certificate No. G598256

STATE OF NEW YORK - LIQUOR AUTHORITY  
Renewal Application (Directions for Completion enclosed)

License fee: 4,352.00  
Filing fee: 90.00  
Total fee due: 4,442.00

New effective date: 03/01/2005  
New expiration date: 02/28/2007

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an address other than the licensed premises address:

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

RECEIVED FEB 03 2005

231750

NEW SERIAL#: 1027037 OLD SERIAL#: 051NEWOP0008460252  
40 E 52ND STREET NEW YORK, NY 10022

(Premise address)

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

**ALL QUESTIONS MUST BE ANSWERED.**

Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate **schedules A and/or B** on the reverse side. If no changes in facts have occurred, check "NO".

	YES	NO
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. State whether said licensed business presently is regularly kept open and operated by the licensee. If no, submit statement with explanation.

	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	-------------------------------------	--------------------------
3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP  
INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Date \_\_\_\_\_

(Signature of licensee(s))

(Home Address)

(Home Telephone)

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB**

**CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION**

MARION SCOTTO certifies that he is LLC MANAGER  
(Print Name of Corporate Officer) (Print Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

Date FEB 1, 2005

Marion Scott  
(Signature of authorized officer)

350 EAST 72 ST  
NEW YORK, NY 10021 212-472-4466  
(Home Address and Home Telephone)

DATE

APPROVED

DISAPPROVED

S.L.A. BY

STATE OF NEW YORK - LIQUOR AUTHORITY  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (if different)	
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (if different)	
Landlord Name		Landlord Address	

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A" to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. (If more space is needed, attach rider).**

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)

1b. **Use this schedule, "B" to set forth details of any outstanding loans and/or such "changes" (other than arrests, etc.) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).**

Nature of Change	Date	Details

**NOTIFICATION RIDER TO RENEWAL APPLICATION**

**ON PREMISES LICENSEES ONLY MUST COMPLETE THIS SECTION**

**NOTICE TO MUNICIPALITY/COMMUNITY BOARD**

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested. You must keep the certified mail receipt for your records.

**CERTIFICATION RIDER TO APPLICATIONS**

I hereby certify that I have complied with the requirements of Section 64, subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my renewal application to become licensed, by certified mail, return receipt requested to the Clerk of the City, Town, Village (circle one) of \_\_\_\_\_ or, in New York City, the Clerk of Community Board # 5 Borough of MANHATTAN where the premises are located.

Trade Name FRESCO ON THE GO  
Address of Premises 40 EAST 52 ST, NEW YORK, NY 10022  
Signature Mauro S. Otto Serial Number 1027037 Date 2/1/05

NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.

You must keep the certified mail receipt for your records!

# EXCISE BOND UNDERWRITERS

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y. 10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

LIQUOR

001--15

4-012063--00

BOND EXPIRES IN

FEBRUARY, 2007

BOND NUMBER

Penal Sum of Bond

1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we,

Name of Applicant

STARJEN LLC  
FRESNO ON THE GO

Address of Place of Business

40 EAST 52ND STREET  
NEW YORK NY 10022

In the county of NEW YORK

State of NEW YORK as Principal, and

having an office and usual place of business at

GREAT AMERICAN INSURANCE COMPANY  
5 DAKOTA DRIVE  
LAKE SUCCESS NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority; or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 12 day of FEBRUARY,

2005

STARJEN LLC  
Principal  
BY: Marion Scott L.S.

GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE

John L. Corneau  
Attorney-in-fact

ON-PREMISES LIQUOR LICENSE

2007 1 NEW OP 8460 252

LICENSE EFFECTIVE 03/01/2005

LICENSE EXPIRES 02/28/2007

NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

SERIAL

1027037

COUNTY

NEW YORK

CERTIFICATE NUMBER

659600

FILING FEE

\$90.00

LICENSE FEE

\$4,352.00

CYCLICAL CREDIT GROUP

3

STARJEM LLC

FRESCO ON THE GO

40 E 52ND STREET

NEW YORK NY 10022



Edward F. Kelly  
CHAIRMAN

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSEE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 100-033 (11/99)

Certificate No. G659600



STATE OF NEW YORK - LIQUOR AUTHORITY  
Renewal Application (Directions for Completion enclosed)

License fee:

Filing fee:

Total fee due:

4,352.00

90.00

4,442.00

New effective date:

03/01/2007

New expiration date:

02/28/2009

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

314215

RECEIVED FEB 15 2007

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an address other than the licensed premises address:

NEW SERIAL#: 1027037 OLD SERIAL#: 071NEWOP0008460252  
40 E 52ND STREET NEW YORK, NY 10022  
(Premise address)

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

**ALL QUESTIONS MUST BE ANSWERED.**

Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.

1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate **schedules A and/or B** on the reverse side. If no changes in facts have occurred, check "NO".

YES NO

1. ☐ ☒

2. State whether said licensed business presently is regularly kept open and operated by the licensee. If no, submit statement with explanation.

2. ☒ ☐

Not Applicable

3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.

3. ☐ ☒ ☒

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP**

**INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

MARION SCOTTO

(Print name of licensee(s))

Date

(Signature of licensee(s))

(Home Address)

(Home Telephone)

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB**

**CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION**

MARION SCOTTO

(Print Name of Corporate Officer)

certifies that he is

LLC MANAGER

(Print Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

(Signature of authorized officer)

Date

FEBRUARY 12, 2007

350 EAST 72<sup>ND</sup> STREET

NEW YORK NY 10021

(Home Address and Home Telephone)

212-472-4466

STATE OF NEW YORK - LIQUOR AUTHORITY  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (If different)	
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)	
Landlord Name		Landlord Address	

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A" to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. Submit copy of Certificate of Disposition or Police Report.**

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)

1b. **Use this schedule, "B" to set forth details of any outstanding loans and/or such "changes" (other than arrests, etc.) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).**

Nature of Change	Date	Details

**NOTIFICATION RIDER TO RENEWAL APPLICATION**

**ON PREMISES LICENSEES ONLY MUST COMPLETE THIS SECTION**

**NOTICE TO MUNICIPALITY/COMMUNITY BOARD**

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested. **You must keep the certified mail receipt for your records.**

**CERTIFICATION RIDER TO APPLICATIONS**

I hereby certify that I have complied with the requirements of Section 64, subdivision 2a of the Alcoholic Beverage Control Law, and have sent notification of my renewal application to become licensed, by certified mail, return receipt requested to the Clerk of the (CIRCLE ONE) City, Town, Village of \_\_\_\_\_ OR, in New York City, the Clerk of Community Board # \_\_\_\_\_ Borough of MANHATTAN where the premises are located.

FRESCO ON GO  
Trade Name  
40 EAST 52<sup>ND</sup> STREET, NEW YORK, NY 10022  
Address of Premises  
Marion Scott 1027037 2/12/07  
Signature New Serial Number Date

NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.

You must keep the certified mail receipt for your records!

# EXCISE BOND UNDERWRITERS

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y. 10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

LIQUOR

BOND EXPIRES IN

BOND NUMBER

001--15

X-B1286B--00

FEBRUARY, 2009

Penal Sum of Bond

1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we,

Name of Applicant

Address of Place of Business

STARJEM LLC  
FRESCO ON THE GO

40 EAST 52ND STREET  
NEW YORK

NY 10022

In the county of **NEW YORK** State of **NEW YORK** as Principal, and **GREAT AMERICAN INSURANCE COMPANY**  
having an office and usual place of business at **5 DAKOTA DRIVE**  
**LAKE SUCCESS** **NY 00000**

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 12 day of FEBRUARY,

2007

STARJEM LLC L.S.  
Principal  
BY: Marion Scott

GREAT AMERICAN INSURANCE COMPANY

↑  
APPLICANT MUST SIGN HERE

John L. Corneau  
Attorney-in-fact

(OVER)

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

CONDITIONS

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

ON-PREMISES LIQUOR LICENSE

2009 1 NEW OP 8460 252

LICENSE EFFECTIVE

03/01/2007

LICENSE EXPIRES

02/28/2009

# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

SERIAL

1027037

COUNTY

NEW YORK

CERTIFICATE NUMBER

718261

FILING FEE

\$90.00

LICENSE FEE

\$4,352.00

STARJEM LLC

FRESCO ON THE GO

40 E 52ND STREET

NEW YORK NY 10022



Daniel B. Boyle  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSEE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

Certificate No. **G718261**

SLA FORM 180-033 (11/99)

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
 Renewal Application (Directions for Completion enclosed)

License fee: 4,352.00  
 Filing fee: 90.00  
 Total fee due: 4,442.00

413976

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an address other than the licensed premises address:

New effective date: 03/01/2009  
 New expiration date: 02/28/2011

STARJEM LLC  
 FRESCO ON THE GO  
 40 E 52ND STREET  
 NEW YORK, NY 10022

RECEIVED FEB 24 2009

NEW SERIAL#: 1027037 OLD SERIAL#: 091NEWOP0008460252  
 40 E 52ND STREET NEW YORK, NY 10022

(Premise address)

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

**APPROVED METHOD OF OPERATION**

**METHOD OF OPERATION:**

**DAYS/HOURS OF OPERATION:**

**ADDITIONAL INFORMATION:**

**ANY CHANGE TO THE APPROVED METHOD OF OPERATION MUST BE APPROVED BY THE AUTHORITY PRIOR TO IMPELEMENTING SUCH CHANGE. CONTACT YOUR ZONE OFFICE TO OBTAIN THE APPROPRIATE FORM TO MAKE ANY CHANGES.**

**ALL QUESTIONS MUST BE ANSWERED.**

*Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.*

- |  |  |
|--|--|
| 1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate <b>schedules A and/or B</b> on the reverse side. If no changes in facts have occurred, check "NO". | YES NO   |
|  | 1. <input type="checkbox"/> <input checked="" type="checkbox"/>                          |
| 2. State whether said licensed business presently is regularly kept open and operated by the licensee. If no, submit statement with explanation.   | 2. <input checked="" type="checkbox"/> <input type="checkbox"/>                          |
|  | Not Applicable   |
| 3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.   | 3. <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> |

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER OF A PARTNERSHIP  
 INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

(Print name of licensee(s))	Date
(Signature of licensee(s))	(Home Address) (Home Telephone)

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB  
 CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION**

MARION SCOTTO

(Print Name of Corporate Officer)

certifies that he is ABC LLC MEMBER

(Print Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

*Marion Scott*  
 (Signature of authorized officer)

Date 2/11/2009350 EAST 72ND ST. NY, NY 10021 (212) 472-4466

(Home Address and Home Telephone)

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (If different)	
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)	
Landlord Name		Landlord Address	

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A"** to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. Submit copy of Certificate of Disposition or Police Report.

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)

1b. **Use this schedule, "B"** to set forth details of any outstanding loans and/or such "changes" (other than arrests, or address changes) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

Nature of Change	Date	Details

**NOTICE TO MUNICIPALITY/COMMUNITY BOARD**  
(ON-PREMISES LICENSEES ONLY)

On Premises Licensees are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the clerk of the Village, Town or City wherein the premises are located, of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

**ACCEPTABLE FORMS OF PROOF (TO BE SUBMITTED WITH THE RENEWAL APPLICATION):**

A COPY OF THE LETTER SENT TO THE MUNICIPALITY/COMMUNITY BOARD AND EITHER THE ORIGINAL OR A COPY OF THE CERTIFIED MAIL RECEIPT CARD OR THE ORIGINAL OR A COPY OF THE LETTER SENT TO THE MUNICIPALITY/COMMUNITY BOARD DATE STAMPED AND SIGNED BY THE MUNICIPALITY/COMMUNITY BOARD SHOWING RECEIPT MUST BE SUBMITTED WITH THE RENEWAL APPLICATION.



# EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by  
New York State Liquor Authority  
November 1963

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y. 10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR  
PERMIT UNDER THE NEW YORK ALCOHOLIC  
BEVERAGE CONTROL LAW

**LIQUOR**

BOND EXPIRES IN

BOND NUMBER

001--15

X-B12868--00

FEBRUARY, 2011

Penal Sum of Bond

1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we,

Name of Applicant

Address of Place of Business

STARJEM LLC  
FRESCO ON THE GO

40 EAST 52ND STREET  
NEW YORK NY 10022

In the county of **NEW YORK** State of **NEW YORK** as Principal, and  
having an office and usual place of business at

**GREAT AMERICAN INSURANCE COMPANY**  
**5 DAKOTA DRIVE**  
**LAKE SUCCESS NY 00000**

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 11 day of FEBRUARY, 2009

2009

STARJEM LLC  
Principal  
BY: Marion Scott L.S.

GREAT AMERICAN INSURANCE COMPANY

↑  
APPLICANT MUST SIGN HERE

John L. Corneau  
Attorney-in-fact

(OVER)



CONDITIONS

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

ROBERT V. FERRARI

ATTORNEY AT LAW

630 THIRD AVENUE, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

E-MAIL: [rvf@rvferrari.com](mailto:rvf@rvferrari.com)

\_\_\_\_\_  
RICHARD H. BYRNES

January 20, 2009

Community Board No. 5  
450 Seventh Avenue, Room 2109  
New York, New York 10123

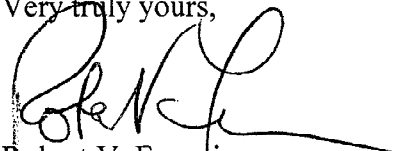
Re: Stargem LLC  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,



Robert V. Ferrari

Enclosure

Via Certified Mail/  
Return Receipt Requested



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

Standardized **RENEWAL APPLICATION NOTICE FORM** for Providing a  
**30-Day Advance Notice to a Local Municipality or Community Board**  
in connection with the submission to the State Liquor Authority of a  
**Renewal Application for an On-Premises Alcoholic Beverage License**

1.	Date the Original copy of this Notice was Mailed to the Local Municipality or Community Board:		0	1	2	0	2	0	0	9
THIS 30-DAY ADVANCE NOTICE IS BEING MAILED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD:										
2.	Name of the Local Municipality or Community Board:		Community Board No. 5							
3.	Street Address of Local Municipality or Community Board:		450 Seventh Avenue, Suite 2109							
4.	City, Town, or Village:		New York		NY		Zip Code: 10123			
5.	Telephone Number of Clerk of Local Municipality or Community Board:		2		1		2		- 4 6 5 - 0 9 0 7	
ATTORNEY FOR THE LICENSE HOLDER SUBMITTING THE RENEWAL APPLICATION										
6.	Attorney's Full Name is:		Robert V. Ferrari							
7.	Attorney's Street Address:		630 Third Avenue, 16th Floor							
8.	City, Town, or Village:		New York		NY		Zip Code: 10017			
9.	Business Telephone Number of Attorney:		2		1		2		- 9 7 2 - 7 0 4 0	
CURRENT LICENSE HOLDER WHO/THAT WILL SUBMIT THE RENEWAL APPLICATION TO THE STATE LIQUOR AUTHORITY										
10.	Type(s) of Alcohol sold under the License (*X one):		<input type="checkbox"/> Beer Only		<input type="checkbox"/> Wine and Beer Only		<input checked="" type="checkbox"/> Liquor, Wine, and Beer			
11.	Extent of Food Service: (*X one)		<input checked="" type="checkbox"/> Restaurant (Sale of Food Primarily; Full Food Menu; Kitchen run by Chef)		<input type="checkbox"/> Tavern-Restaurant (A mixed-use establishment that has both a sit-down dining area and a "stand-up" bar where patrons may receive direct deliveries of alcohol)		<input type="checkbox"/> Tavern / Cocktail Lounge / Adult Venue / Bar (Alcohol sales primarily - meets legal minimum food availability requirements)			
12.	Type of Establishment:		<input type="checkbox"/> Hotel		<input type="checkbox"/> Live Music		<input type="checkbox"/> Disk Jockey		<input type="checkbox"/> Juke Box	
	(*X all that apply)		<input type="checkbox"/> Club (e.g. Golf / Fraternal Org.)		<input type="checkbox"/> Bed & Breakfast		<input type="checkbox"/> Catering Facility		<input type="checkbox"/> Stage Shows	
13.	Licensed Outdoor Area:		<input type="checkbox"/> None		<input type="checkbox"/> Rooftop		<input type="checkbox"/> Patio or Deck		<input type="checkbox"/> Freestanding Covered Structure	
14.	Days and Hours of Operation (Complete all; circle AM or PM)		Monday 6:00 AM PM TO 8:00 AM PM		Tuesday 6:00 AM PM TO 8:00 AM PM		Wednesday 6:00 AM PM TO 8:00 AM PM		Thursday 6:00 AM PM TO 8:00 AM PM	
			Friday 6:00 AM PM TO 8:00 AM PM		Saturday 1:00 AM PM TO 11:00 AM PM		Sunday : AM PM TO : AM PM			
15.	Will the License Holder or a Manager be physically present within the establishment during All Hours of Operation? (*X one):		<input type="checkbox"/> YES		<input checked="" type="checkbox"/> NO					
16.	License Serial Number:		1027037		17.		Expiration Date:		0 2 2 8 2 0 0 9	
18.	The License Holder's Full Name, as it appears on the Alcoholic Beverage License Certificate, is:		Stargem LLC							
19.	The Full Name of the Establishment (the Trade Name under which the Licensed Establishment conducts business) is:		Fresco On The Go							
20.	The Licensed Establishment is located within the building which has the following street address:		40 East 52nd Street							
21.	City, Town, or Village:		New York		NY		Zip Code: 10022			
22.	The Licensed Establishment is located on the following floor(s) of the building at the above address:		First floor							
23.	Within the building at the above address, the Licensed Establishment is located within the room(s) numbered as follows:									
24.	Business Telephone Number of Current License Holder:		2		1		2		- 7 5 4 - 1 6 6 1	
25.	Does the License Holder own the building in which the Licensed Establishment is located? (*X one)		Yes <input type="checkbox"/>		If "YES", SKIP items No. 26-29. Complete the 3 entries at Item No. 30.		No <input checked="" type="checkbox"/>		If "NO", ANSWER items No. 26-29, and complete the 3 entries at Item No. 30.	
OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED										
26.	Building Owner's Full Name is:		40 Eastco							
27.	Building Owner's Street Address:		40 East 52nd Street							
28.	City, Town, or Village:		New York		NY		Zip Code: 10022			
29.	Business Telephone Number of Building Owner:		2		1		2		- 4 0 7 - 2 4 0 0	
30.	I hold the License or am a Principal of the Legal Entity that holds the License. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the existing license. I understand that representations made in this form will also be relied upon, and that false representations may result in revocation of the license. By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.									
	Printed Name		Marion Scotto		Title		Member		Signature X <i>Marion Scotto</i>	



## STATE OF NEW YORK

### NOTICE OF APPEARANCE

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

Agency: State Liquor Authority Date: February 19, 2009

Division/Bureau: Licensing/Renewals

1. Name of individual appearing: Robert V. Ferrari

Address: 630 Third Avenue, 16th Floor, New York, New York 10017

Telephone: (212) 972-7040

2. Client represented: Starjem LLC

Address: 40 East 52nd Street, New York, New York 10022

Telephone: (212) 754-1661

3. Subject of appearance: ☒ Regulatory/Enforcement ☐ Lobbying

Filing renewal application

4. Acting in capacity of:

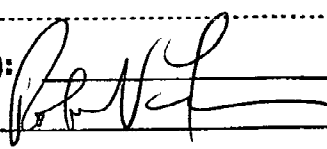
☒ Attorney ☐ Lobbyist

☐ Agent ☐ Other (describe) \_\_\_\_\_

5. Are you being compensated? ☒ Yes ☐ No If Yes: ☒ Fee ☐ Salary

6. Signature of individual appearing: \_\_\_\_\_

7. Agency official (print name): \_\_\_\_\_

Signature: 

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates or legislation, including the State budget. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

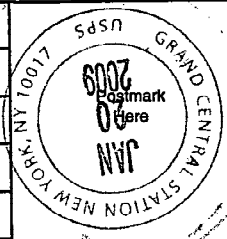
7008 1140 0000 7832 8087

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only. No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$5.32</b>

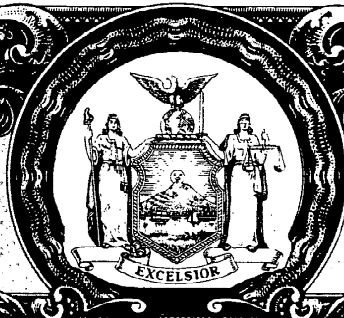


Sent To  
**COMMUNITY BOARD NO. 5**  
 Street, Apt. No.,  
 or PO Box No. **450 SEVENTH AVENUE, ROOM 2109**  
 City, State, ZIP+4  
**NEW YORK, NEW YORK 10183**

PS Form 3800, August 2006

See Reverse for Instructions

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 03/02/2009  
EXPIRATION DATE: 02/28/2011  
CERTIFICATE #: 782691

## NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

### METHOD OF OPERATION

RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00

Daniel B. Boyle  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-933 (11/99)

Certificate No. **G782691**

FOLD AND TEAR HERE

FOLD AND TEAR HERE

## STATE OF NEW YORK - LIQUOR AUTHORITY

Renewal Application (Directions for Completion enclosed)

License fee: 4,352.00  
 Filing fee: 90.00  
 Total fee due: 4,442.00

New effective date: 03/01/2011  
 New expiration date: 02/28/2013

**SPECIAL MAILING REQUEST:** Complete if you want your license mailed to an address other than the licensed premises address:

STARJEM LLC  
 FRESCO ON THE GO  
 40 E 52ND STREET  
 NEW YORK, NY 10022

520825

RECEIVED FEB 08 2011

NEW SERIAL#: 1027037 OLD SERIAL#: 111NEWOP0008460252  
 40 E 52ND STREET NEW YORK, NY 10022

(Premise address)

Make sure all names and address information is correct, if not make the necessary changes on the reverse side.

1/5

## APPROVED METHOD OF OPERATION

METHOD OF OPERATION:

DAYS/HOURS OF OPERATION:

ADDITIONAL INFORMATION:

ANY CHANGE TO THE APPROVED METHOD OF OPERATION MUST BE APPROVED BY THE AUTHORITY PRIOR TO IMPLEMENTING SUCH CHANGE. CONTACT YOUR ZONE OFFICE TO OBTAIN THE APPROPRIATE FORM TO MAKE ANY CHANGES.

## ALL QUESTIONS MUST BE ANSWERED.

Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation.

- |  |  |  |
|--|--|--|
| 1. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate <b>schedules A and/or B</b> on the reverse side. If no changes in facts have occurred, check "NO". | YES                                    | NO   |
|  | 1. <input type="checkbox"/>            | <input checked="" type="checkbox"/>                          |
| 2. State whether said licensed business presently is regularly kept open and operated by the licensee. If no, submit statement with explanation.   | 2. <input checked="" type="checkbox"/> | <input type="checkbox"/>                                     |
|  | Not Applicable                         |  |
| 3. If your premises are closed, state whether your license certificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority.   | 3. <input type="checkbox"/>            | <input type="checkbox"/> <input checked="" type="checkbox"/> |

APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE.

**THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP  
 INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION.**

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

(Print name of licensee(s))	Date
_____	_____
(Signature of licensee(s))	(Home Address) (Home Telephone)
_____	_____

**THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB  
 CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION**

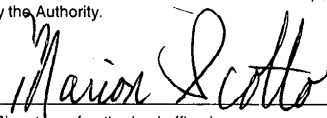
MARION SCOTTO

certifies that he is AN LLC MANAGER

(Print Name of Corporate Officer)

(Print Title of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority.

(Signature of authorized officer)	Date
	February 3, 2011
	350 EAST 72ND STREET, NEW YORK, NY 10021
	(Home Address and Home Telephone) (212) 472-4466

**STATE OF NEW YORK - LIQUOR AUTHORITY**  
(Renewal Application)

**ADDRESS CHANGES OR CORRECTIONS:** Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed		Post office address of premises (If different)	
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)	
Landlord Name		Landlord Address	

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

**Use this schedule "A" to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. Submit copy of Certificate of Disposition or Police Report.**

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)

1b. **Use this schedule, "B" to set forth details of any outstanding loans and/or such "changes" (other than arrests, or address changes) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).**

Nature of Change	Date	Details

**NOTICE TO MUNICIPALITY/COMMUNITY BOARD  
(ON-PREMISES LICENSEES ONLY)**

On Premises Licensees are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the clerk of the Village, Town or City wherein the premises are located, of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

**YOU MUST SUBMIT THE NOTICE PROVIDED WITH THIS RENEWAL PACKET TO THE COMMUNITY BOARD OR MUNICIPALITY AND SUBMIT SAME TO THIS OFFICE ALONG WITH THE ORIGINAL OR A COPY OF THE CERTIFIED MAIL CARD OR RECEIPT**



BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number	This bond expires in 2013	Penal Sum of Bond \$ 1000.00 Plus Costs
--------------------	-------------	------------------------------	--

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant	Starjem LLC DBA Fresco On The Go	Address of Place of Business	of 40 East 52nd Street, New York
-------------------	----------------------------------	------------------------------	----------------------------------

in the county of New York, State of New York 10022, as Principal, and

Name of Insurance Company	WESTERN SURETY COMPANY	Address of Office or usual Place of Business	101 South Phillips Avenue Sioux Falls, SD 57104
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a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof, by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
21st day of January, 2011  
Name of issuing agency Global Coverage, Inc. Address New York, NY 10016-2897  
Phone # (212) 683-2622

Starjem LLC DBA Fresco On The Go L.S.  
Principal (Applicant/Licensee)

Western Surety Company  
Surety  
BY: Paul T. Brufat L.S.  
Paul T. Brufat, Senior Vice President



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

Standardized **RENEWAL APPLICATION NOTICE FORM** for Providing a  
**30-Day Advance Notice to a Local Municipality or Community Board**  
in connection with the submission to the State Liquor Authority of a  
**Renewal Application for an On-Premises Alcoholic Beverage License**

1.	Date the Original copy of this Notice was Mailed to the Local Municipality or Community Board:		0	1	0	5	2	0	1	1	
THIS 30-DAY ADVANCE NOTICE IS BEING MAILED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD											
2.	Name of the Local Municipality or Community Board: <b>Manhattan Community Board No. 5</b>										
3.	Street Address of Local Municipality or Community Board: <b>450 Seventh Avenue, Suite 2109</b>										
4.	City, Town, or Village: <b>New York</b>							NY	Zip Code: <b>10123</b>		
5.	Telephone Number of Clerk of Local Municipality or Community Board:		2	1	2	-	4	6	5	- 0 9 0 7	
ATTORNEY FOR THE LICENSE HOLDER SUBMITTING THE RENEWAL APPLICATION											
6.	Attorney's Full Name is: <b>Robert V. Ferrari</b>										
7.	Attorney's Street Address: <b>630 Third Avenue, 16th Floor</b>										
8.	City, Town, or Village: <b>New York</b>							NY	Zip Code: <b>10017</b>		
9.	Business Telephone Number of Attorney:		2	1	2	-	9	7	2	- 7 0 4 0	
CURRENT LICENSE HOLDER WHO/THAT WILL SUBMIT THE RENEWAL APPLICATION TO THE STATE LIQUOR AUTHORITY											
10.	Type(s) of Alcohol sold under the License (*X one):		<input type="checkbox"/> Beer Only		<input type="checkbox"/> Wine and Beer Only		<input checked="" type="checkbox"/> Liquor, Wine, and Beer				
11.	Extent of Food Service: (*X one)		<input checked="" type="checkbox"/> Restaurant (Sale of Food Primarily; Full Food Menu; Kitchen run by Chef)				<input type="checkbox"/> Tavern-Restaurant (A mixed-use establishment that has both a sit-down dining area and a "stand-up" bar where patrons may receive direct deliveries of alcohol)				
12.	Type of Establishment:		<input type="checkbox"/> Hotel		<input type="checkbox"/> Live Music		<input type="checkbox"/> Disk Jockey		<input type="checkbox"/> Juke Box		
	(*X all that apply)		<input type="checkbox"/> Club (e.g. Golf / Fraternal Org.)		<input type="checkbox"/> Bed & Breakfast		<input type="checkbox"/> Catering Facility		<input type="checkbox"/> Stage Shows		
13.	Licensed Outdoor Area:		<input checked="" type="checkbox"/> None		<input type="checkbox"/> Rooftop		<input type="checkbox"/> Patio or Deck		<input type="checkbox"/> Freestanding Covered Structure		
14.	Will the License Holder or a Manager be physically present within the establishment during All Hours of Operation? (*X one):		<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO						
15.	License Serial Number: <b>1027037</b>		16.		Expiration Date:		0	2	2	8	
17.	The License Holder's Full Name, as it appears on the Alcoholic Beverage License Certificate, is:		<b>Starjem LLC</b>								
18.	The Full Name of the Establishment (the Trade Name under which the Licensed Establishment conducts business) is:		<b>Fresco On The Go</b>								
19.	The Licensed Establishment is located within the building which has the following street address:		<b>40 East 52nd Street</b>								
20.	City, Town, or Village:		<b>New York</b>							NY	Zip Code: <b>10022</b>
21.	The Licensed Establishment is located on the following floor(s) of the building at the above address:		<b>First floor</b>								
22.	Within the building at the above address, the Licensed Establishment is located within the room(s) numbered as follows:		<b>Not applicable</b>								
23.	Business Telephone Number of Current License Holder:		2	1	2	-	7	5	4	- 1 6 6 1	
24.	Business Fax Number of Current License Holder:										
25.	Business E-Mail Address of Current License Holder:										
26.	Does the License Holder own the building in which the Licensed Establishment is located? (*X one)		Yes <input type="checkbox"/>		If "YES", SKIP Items No. 27-30. Complete the 3 entries at Item No. 31.			No <input checked="" type="checkbox"/>			
OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED											
27.	Building Owner's Full Name is:		<b>40 Eastco</b>								
28.	Building Owner's Street Address:		<b>40 East 52nd Street</b>								
29.	City, Town, or Village:		<b>New York</b>							NY	Zip Code: <b>10022</b>
30.	Business Telephone Number of Building Owner:		2	1	2	-	4	0	7	- 2 4 0 0	
31.	I hold the License or am a Principal of the Legal Entity that holds the License. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the existing license. I understand that representations made in this form will also be relied upon, and that false representations may result in revocation of the license. By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.										
	Printed Name		Title		Signature						
	<b>Marion Scotto</b>		<b>LLC Manager</b>		<b>X Marion Scotto</b>						



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

**STATE OF NEW YORK**  
**NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

**Agency:** State Liquor Authority

**Date:** February 3, 2011

**Division/Bureau:** Renewals

**1. Name of individual appearing:** Robert V. Ferrari

**Address:** 630 Third Avenue, 16th Floor, New York, New York 10017

**Telephone:** (212) 972-7040

**2. Client represented:** Starjem LLC d/b/a Fresco On The Go

**Address:** 40 East 52nd Street, New York, New York 10022

**Telephone:** (212) 754-1661

**3. Subject of appearance:** ☒ **Regulatory/Enforcement** ☐ **Lobbying**

Filing renewal application of on-premises liquor license.

**4. Acting in capacity of:**

☒ **Attorney** ☐ **Lobbyist** ☐ **Agent**  
☐ **Other (describe)** \_\_\_\_\_

**5. Are you being compensated?** ☒ **Yes** ☐ **No**

**If YES, Check FEE or SALARY** ☒ **FEE** ☐ **SALARY**

**6. Signature of individual appearing:**

**7. Agency official (print name):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

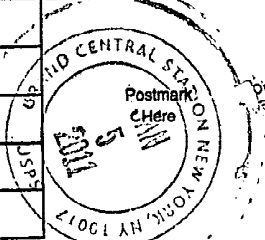
7009 0620 0000 0263 0966

U.S. Postal Service <sup>TM</sup>  
**CERTIFIED MAIL <sup>TM</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ 44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To  
COMMUNITY BOARD NO. 5  
Street, Apt. No.,  
or PO Box No. 450 SEVENTH AVENUE, ROOM 2109  
City, State, ZIP+4  
NEW YORK, NEW YORK 10123

PS Form 3800, August 2006

See Reverse for Instructions

ROBERT V. FERRARI

ATTORNEY AT LAW

630 THIRD AVENUE, NEW YORK, N.Y. 10017

(212) 972-7040

TELECOPIER (212) 922-1939

E-MAIL: [rvf@rvferrari.com](mailto:rvf@rvferrari.com)

RICHARD H. BYRNES

January 5, 2011

Community Board No. 5  
450 Seventh Avenue, Room 2109  
New York, New York 10123

Re: Starjem LLC  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

  
Robert V. Ferrari

Enclosure

Via Certified Mail/  
Return Receipt Requested

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 02/12/2011  
EXPIRATION DATE: 02/28/2013  
CERTIFICATE #: 792609

## NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.


THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

### METHOD OF OPERATION

RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00

  
Dennis Rosen  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B792609

FOLD AND TEAR HERE

FOLD AND TEAR HERE

NOA

**RENEWAL ADVISORY** RECEIVED JAN 29 2013

Serial #: 1027037

Key: 131NEWOP0008460252

60 51 97

License fee:

4,352.00

Filing fee:

90.00

Total fee due:

4,442.00

New effective date:

03/01/2013

New expiration date:

02/28/2015

## Premises Address:

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

1/3

*This letter is to notify you that your current license is due to expire on 02/28/2013.  
The renewal procedures have changed so please review all forms / instructions carefully.*

**THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.**

*The renewal application form can be found on the Authority's website at  
[www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)*

**You must complete the renewal application and return it with this renewal advisory to the address below:**

**M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267**

**You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.**

**The required Community Board / Municipality notice form for on-premises licensees is also available on our website. You must notify the Community Board / Municipality at least 30 days prior to sending the renewal forms to the Authority.**

**NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.**

**FOR RENEWAL INFORMATION VISIT OUR WEBSITE AT:**

**WWW.SLA.NY.GOV/RENEWALS**

If Undeliverable Return To:  
NYS Liquor Authority  
80 S. Swan St., Suite 900  
Albany, NY 12210

**STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022**

**RENEWAL ADVISORY**



## RENEWAL APPLICATION / INSTRUCTION FORM

**The Renewal Advisory previously mailed to you must be submitted with this Renewal Application**

**PLEASE ALLOW TEN(10) BUSINESS DAYS FOR PROCESSING. BE ADVISED THAT ANY DEFICIENCY IN THE APPLICATION OR FAILURE TO PROVIDE ALL SUPPORTING DOCUMENTATION WILL DELAY THE PROCESSING OF YOUR RENEWAL OR MAY LEAD TO THE DISAPPROVAL OF YOUR RENEWAL.**

Documents to include with your renewal application:

1. Completed Renewal Application form and Renewal Advisory;
2. Personal, business, bank check or money order in the total amount due as listed on the invitation to renew.  
Write your license serial number on the check. Submit a check or money order with the Renewal Application.  
Make check or money order payable to New York State Liquor Authority.
3. Original surety bond in the appropriate amount; **SIGNED BY THE LICENSEE**; and with the expiration of the bond  
being the same as the license expiration date on the Renewal Advisory previously mailed to you. ***The bond must have the premises name and address typed exactly as it appears on your license certificate;***
4. Notice of appearance if an attorney or representative assisted in completing this renewal application.  
**FOR NEW YORK CITY LICENSEES ONLY**
5. Renewal Application Notice Form as required by Section 109 Subdivision 2 of the ABC Law;  
5a. Proof of 30-day notice to the Community Board which consists of:
  - a. A copy of the certified mail receipt or a copy of the certified mail card - return receipt requested; or
  - b. A copy of the delivery receipt from a commercially recognized delivery service; or
  - c. A copy of the renewal application notice form date-stamped by the Community Board.

***If there have been any changes to the principals of the license, any physical changes to the establishment or changes to the approved method of operation you must file the appropriate change application that can be found on our website at: [www.sla.ny.gov](http://www.sla.ny.gov). You must receive approval from the Authority before making any such changes.***

The completed application and any supporting information, including the Renewal Advisory, should be mailed to our bank lockbox address of:

**M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267**

**RETAIL-RENEWAL**

**Please complete all of the fields provided in the form. If the Trade Name has changed since the last renewal filing you must also include a filing receipt or a certificate of assumed name with the renewal application. Other changes noted on the renewal application do not constitute proper notification to the Authority, nor does the approval of the renewal application constitute approval of any changes listed in the renewal, other than the Trade Name change.**

**1. Licensed Premises Information**

**Is your licensed premises closed?** ☐ YES ☒ NO

**If yes, is your license in safekeeping with the New York State Liquor Authority?** ☐ YES ☐ NO

Licensed Premises Name:  License Serial #:

Trade Name (if applicable):  Effective Date:

Federal Employer Identification Number:  Expiration Date:

If you hold an on-premises license, please select the method of operation from the following list:

- ☐ Bar/Tavern    ☐ Cabaret    ☐ Cafe    ☐ Catering Establishment  
☐ Club (i.e., Fraternal Org)    ☐ Hotel    ☐ Night Club    ☐ Pizzeria    ☒ Restaurant

**Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority. Attach additional sheets if necessary.**

None

**Address of the Licensed Premises****ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL**

If your address has been changed as a result of a 911 change, please provide proof of the change such as notification of the 911 address change from the local Municipality/Community Board or notification from the Post Office.

Licensed Premises Address:

City:  State:  Zip Code:

County:  Email Address:

Premises Telephone # (include area code):  Contact Phone # (include area code):

**Mailing Address (if different than premises address)**

Mailing Address:

City:  State:  Zip Code:

**Landlord/Building Owner Name and Address - also required if building is owned by the licensee**

Landlord Name:

Address:

City:  State:  Zip Code:

**RETAIL-RENEWAL****2. Arrest/Conviction Information**

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been **ARRESTED** and/or **CONVICTED** during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations? ☐ YES ☒ NO ☐ Previously Reported

If YES, complete the chart below and where applicable, submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

**3. Applicant Information and Certification**

*The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.*

**A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Signature		Title		Date	

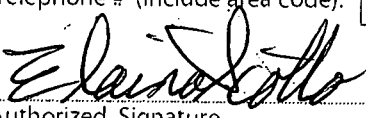
**B. Partnership (This section must be completed, signed and dated by each partner.)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Partner Signature		Title		Date	

**RETAIL-RENEWAL****B. Partnership (Continued -attach additional sheets if necessary)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Partner Signature	Title		Date		

**C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer.  
This principal should be the primary point of contact.)**

Print Name:	Elaina Scotto	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	LLC Member				
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Authorized Signature		Title	LLC Member	Date	01/25/2013

**All remaining Principals on the license must be listed below.  
(Attach additional sheets as needed to include all principals)**

Print Name:	Marion Scotto	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	LLC Member				
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		

Print Name:	Anthony Scotto, Jr	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	LLC Member				
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		

**RETAIL-RENEWAL****List of other principals continued (Attach additional pages as needed to include all principals)**

Print Name:	Rosanna Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:		Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:					
Telephone # (include area code):		Cell Phone # (include area code):			

**D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority. )**

Print Name:		Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:					
Telephone # (include area code):		Cell Phone # (include area code):			

Authorized Signature	Title	Date
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BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number	This bond expires in	Penal Sum of Bond
		2015	\$1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant	Address of Place of Business
Starjem LLC dba Fresco On The Go	of 40 East 52nd Street, New York

in the county of New York, State of NEW YORK, 10022, as Principal, and

Name of Insurance Company	Address of Office or usual Place of Business
WESTERN SURETY COMPANY	P.O. Box 5077 Sioux Falls, SD 57117-5077

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless such revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In an action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective inscription or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority. The People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety, shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. The bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety, the printed or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 31 day of January 2013

Name of issuing agency GLOBAL COVERAGE, INC. Address YORK, NY 10016-2897  
Phone # (212)683-2622

Starjem LLC dba Fresco On The Go L.S. WESTERN SURETY COMPANY  
Principal (Applicant/Licensee) Surety

BY: [Signature] BY: [Signature] L.S.  
Paul T. Bruflat, Senior Vice President

ROBERT V. FERRARI

ATTORNEY AT LAW

630 THIRD AVENUE, NEW YORK, N.Y. 10017  
(212) 972-7040

TELECOPIER (212) 922-1939  
E-MAIL: rvf@rvferrari.com

\_\_\_\_\_  
RICHARD H. BYRNES

January 3, 2013

Manhattan Community Board No. 5  
450 Seventh Avenue, Suite 2109  
New York, New York 10123

Re: Starjem LLC  
d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

  
Robert V. Ferrari

Enclosure

Via Certified Mail/  
Return Receipt Requested

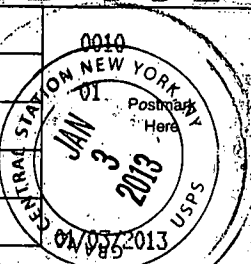
7010 2780 0001 8601 6542

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

NEW YORK NY 10123 **OFFICIAL USE**

Postage	\$ .45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.75



Sent To: **MANHATTAN COMMUNITY BOARD NO. 5**  
Street, Apt. No.,  
or PO Box No. **450 SEVENTH AVENUE, SUITE 8109**  
City, State, ZIP+4 **NEW YORK, NEW YORK 10123**

PS Form 3800, August 2006

See Reverse for Instructions



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

Standardized **NOTICE FORM** for Providing a 30-Day Advance Notice to a Local Municipality or Community Board in connection with the submission to the State Liquor Authority of a (check one)  
☐ New Application ☒ Renewal Application ☐ Alteration Application  
☐ Corporate Change for an On-Premises Alcoholic Beverage License

1. Date the original copy of this Notice was mailed to the Local Municipality or Community Board:		<div style="display: flex; justify-content: space-between;"> <span>Month</span> <span>Day</span> <span>Year</span> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">0</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">1</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">0</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">3</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">2</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">0</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">1</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">3</div> </div>											
THIS 30-DAY ADVANCE NOTICE IS BEING PROVIDED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD:													
2. Name of the Local Municipality or Community Board:		Manhattan Community Board No. 5											
ATTORNEY REPRESENTING THE APPLICANT IN CONNECTION WITH THE APPLICANT'S LICENSE APPLICATION NOTED AS ABOVE FOR THE ESTABLISHMENT IDENTIFIED IN THIS NOTICE													
3. Attorney's Full Name is:		Robert V. Ferrari											
4. Attorney's Street Address:		630 Third Avenue, 16th Floor											
5. City, Town or Village:		New York						State: New York		Zip Code: 10017			
6. Business Telephone Number of Attorney:		(212) 972-7040											
FOR NEW APPLICANTS, PROVIDE DESCRIPTION BELOW USING ALL INFORMATION KNOWN TO DATE FOR ALTERATION APPLICANTS, ATTACH COMPLETE DESCRIPTION AND DIAGRAM OF PROPOSED ALTERATION(S) FOR CURRENT LICENSEES, SET FORTH APPROVED METHOD OF OPERATION ONLY DO NOT USE THIS FORM TO CHANGE YOUR METHOD OF OPERATION													
7. Type(s) of alcohol sold or to be sold under the license: ("X" One)		<input type="checkbox"/> Beer Only <input type="checkbox"/> Wine and Beer Only <input checked="" type="checkbox"/> Liquor, Wine and Beer											
8. Extent of Food Service: ("X" One)		<input checked="" type="checkbox"/> Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef) <input type="checkbox"/> Tavern/Cocktail Lounge/Adult Venue/Bar (Alcohol sales primarily-meets legal minimum food availability requirements)											
9. Type of establishment: ("X" all that apply)		<input type="checkbox"/> Hotel <input type="checkbox"/> Live Music <input type="checkbox"/> Disc Jockey <input type="checkbox"/> Juke Box <input type="checkbox"/> Patron Dancing (Small scale) <input type="checkbox"/> Karaoke Bar <input type="checkbox"/> Cabaret, Night Club, (Large Scale Dance Club) <input type="checkbox"/> Capacity for 600 or more patrons <input type="checkbox"/> Bed & Breakfast <input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Club (e.g. Golf/Fraternal Org.) <input type="checkbox"/> Catering Facility <input type="checkbox"/> Stage Shows <input type="checkbox"/> Topless Entertainment <input type="checkbox"/> Recreational Facility (Sports Facility/Vessel)											
		<input checked="" type="checkbox"/> Licensed outdoor area: ("X" all that apply) <input type="checkbox"/> None <input type="checkbox"/> Rooftop <input type="checkbox"/> Patio or Deck <input type="checkbox"/> Freestanding Covered Structure <input type="checkbox"/> Garden/Grounds <input type="checkbox"/> Sidewalk Café <input type="checkbox"/> Other (Specify): None											
11. Will the license holder or a manager be physically present within the establishment during all hours of operation? ("X" one)		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No											
12. License serial number: 1027037		Expiration Date: 02/28/2013											
13. The applicant's or license holder's full name, as it appears or will appear on the license:		Starjem LLC											
14. The Trade name, if any, under which the establishment conducts or will conduct business:		Fresco On The Go											
15. The establishment is located within the building which has the following street address:		40 East 52nd Street											
16. City, Town, or Village:		New York						NY		Zip Code: 10022			
17. The establishment is located on the following floor(s) of the building at the above address:		First Floor											
18. Within the building at the above address, the establishment is located within the room(s) numbered as follows:		Not applicable											
19. Business telephone number of applicant/licensee:		(212) 754-2700						Business fax number of applicant/licensee: (212) 754-1661					
20. Business e-mail address of applicant/licensee:		elaina@frescobyscotto.com											
21. Does the applicant or license holder own the building in which the establishment is located? ("X" one)		<input type="checkbox"/> Yes (If "Yes", SKIP Items 22-25) <input checked="" type="checkbox"/> No											
OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED													
22. Building owner's full name is:		40 East 52nd Street L.P.											
23. Building owner's street address:		345 Park Avenue											
24. City, Town, or Village:		New York						NY		Zip Code: 10154			
25. Business telephone number of building owner:		<div style="display: flex; justify-content: space-between;"> <span>Area</span> <span>Number</span> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">2</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">1</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">2</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">-</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">8</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">9</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">1</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">-</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">9</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">1</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">0</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; line-height: 20px;">0</div> </div>											
I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license. By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.													
26. Printed Name		Elaina Scotto						Title		Authorized Person			
								Signature		<div style="display: flex; align-items: center;"> <span style="margin-right: 10px;">X</span> </div>			

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 02/07/2013  
EXPIRATION DATE: 02/28/2015  
CERTIFICATE #: 819364

# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

## METHOD OF OPERATION

RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00

*Dennis Rosen*

Dennis Rosen  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B819364

FOLD AND TEAR HERE

FOLD AND TEAR HERE

# RENEWAL ADVISORY

RECEIVED JUN 30 2015

1-14-15 NOA

Serial #: 1027037

NEW / OP / 252

New Effective Date: 03/01/2015

New Expiration Date: 02/28/2017

License Fee: \$4,352.00

Filing Fee: \$90.00

671819

**TOTAL FEE DUE: \$4,442.00**

Premises Address:

STARJEM LLC

40 E 52ND STREET

NEW YORK, NY 10022

*This letter is to notify you that your current license is due to expire on 02/28/2015. The renewal procedures have changed so please review all forms / instructions carefully.*

**THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.**

*The renewal application form can be found on the Authority's website at [www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)*

*You must complete the renewal application and return it with this renewal advisory to the address below:*

**M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267**

**You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.**

The required Community Board notice form for New York City on-premises licensees is also available on our website. You must notify the Community Board at least 30 days prior to sending the renewal forms to the Authority.

**NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.**

**ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL****1. Licensed Premises Information**Is your licensed premises closed? ☐ YES ☒ NOIf yes, is your license in safekeeping with the Authority? ☐ YES ☐ NOIf yes, do you wish for your license to remain in Safekeeping at Renewal? ☐ YES ☐ NOIf yes to any of the above, submit a statement giving the reason that the license is in Safekeeping and the date that is planned for the premises to re-open. *Please be aware that licenses cannot remain in Safekeeping for an indefinite period of time.*

Licensed Premises Name: Starjem LLC

License Serial #: 1027037

Trade Name (if applicable): Fresco By Scotto On The Go

Federal Employer Identification Number: [REDACTED]

**1a. Method of Operation: The following questions must be answered by all On-Premises license holders, including beer, beer & wine, or beer, wine & liquor**

Section 109 of the ABC Law requires a statement to be submitted indicating the type of establishment operated at the premises.

If you hold an **on-premises** license, please select the method of operation from the following list:

- ☒ Restaurant ☐ Catering Establishment ☐ Club (i.e., Fraternal Org) ☐ Hotel ☐ Bed & Breakfast ☐ Ball Park/Stadium/Arena
- ☐ Bar/Tavern ☐ Sports Bar ☐ Cabaret ☐ Night Club/Dance Club ☐ Adult Entertainment ☐ Country Club/ Golf Course

If dancing is permitted at the premises, who is be permitted to dance? ☐ Patrons ☐ Employees for entertainment ☐ BothIf dancing is permitted, is there exotic dancing including, but not limited to, pole dancing and/or lap dancing? ☐ YES ☒ NOIs there topless entertainment at the premises? ☐ YES ☒ NO

Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority. Attach additional sheets if necessary.

NONE

**1b. Address of the Licensed Premises**

If your address has been changed as a result of a 911 change, please provide proof of the change such as notification of the 911 address change from the local Municipality/Community Board.

Licensed Premises Address: 40 East 52nd Street

City: New York

State: NY

Zip Code: 10022

County: New York

Email Address:

elaina@frescobyscotto.com

Premises Telephone # (include area code): (212) 754-2700

Contact Phone # (include area code): (212) 972-7040

**Mailing Address (if different than premises address)**

Mailing Address:

City:

State:

Zip Code:

**1c. Landlord/Building Owner Name and Address - also required if building is owned by the licensee**

Landlord Name: 40 East 52nd Street L.P.

Address: 345 Park Avenue

City: New York

State: NY

Zip Code: 10154

**2. Arrest/Conviction Information**

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been **ARRESTED** and/or **CONVICTED** during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations?

☐ YES ☒ NO ☐ Previously Reported

If YES, complete the chart below. Submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If the charge(s) are not complete submit documentation showing your next court appearance. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

**3. Applicant Information and Certification**

The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.

**A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.)**

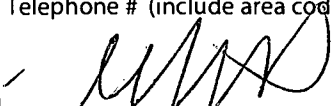
Print Name:		Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Telephone # (include area code):		Cell Phone # (include area code):			
Signature		Title		Date	

**B. Partnership (This section must be completed, signed and dated by each partner.)****Attach additional sheets if necessary**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Partner Signature		Title		Date	

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Partner Signature		Title		Date	

**C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer. This principal should be the primary point of contact.)**

Print Name:	Elaina Scotto	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	LLC Member				
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Authorized Signature			LLC MEMBER		1/23/15
		Title		Date	

**C. - Continued - All remaining Principals on the license must be listed below.**  
**(Attach additional sheets as needed to include all principals)**

Print Name:	Marion Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:	Anthony Scotto, Jr	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:	Rosanna Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:		Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:					
Telephone # (include area code):		Cell Phone # (include area code):			

**D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/>				
Telephone # (include area code):	<input type="text"/>		Cell Phone # (include area code):	<input type="text"/>	
Authorized Signature		Title		Date	



BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number	This bond expires in	Penal Sum of Bond
		2017	\$1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant	Address of Place of Business
Starjem LLC dba Fresco On The Go	of 40 East 52nd Street, New York

in the county of New York, State of NEW YORK 10022, as Principal, and

Name of Insurance Company	Address of Office or usual Place of Business
WESTERN SURETY COMPANY	P.O. Box 5077 Sioux Falls, SD. 57117-5077

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs, taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless such revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense or objection to any defect in the bond, including, but not limited to, an erroneous, improper or defective inscription, omission, or apparent alteration of the expiration year and/or amount of the penal sum of the bond, and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety. The bond filed with the State Liquor Authority and bearing the printed or facsimile name of the principal and surety, and bearing the printed or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
31 day of January 2015 9 E. 37TH ST., 4TH FLOOR, NEW  
Name of issuing agency GLOBAL COVERAGE, INC. Address YORK, NY 10016-2897  
Phone # (212)683-2622

Starjem LLC dba Fresco On The Go L.S.  
Principal (Applicant/Licensee)

BY:

Form 1480-A-4-2002

WESTERN SURETY COMPANY

Surety

BY:

Paul T. Bruflat, Senior Vice President

L.S.



# Western Surety Company

Rider to be attached to Bond No. [REDACTED]

## NEW YORK LIQUOR BOND RIDER

This rider is valid only when used to amend Retail On and Off Premises Bonds (Bond Form L-9, prescribed by the New York State Liquor Authority, June 3, 1974) where the penalty does not exceed One Thousand Dollars (\$1,000).

It is hereby mutually agreed and understood by and between the Principal, Starjem LLC dba Fresco On

The Go \_\_\_\_\_, and Western Surety Company, a corporation organized and existing under the laws of the State of South Dakota and authorized to transact business in New York State, as Surety, that

☐

the principal's address on this bond has been changed as follows:

☒

the principal(s) on this bond has(have) been changed as follows:

Starjem LLC dba Fresco By Scotto On The Go

☐

the \_\_\_\_\_ date(s) of  
(enter effective date or expiration date or both)

this bond has(have) been changed as follows:

☐

This bond is amended to include additional space included in the licensed premises:

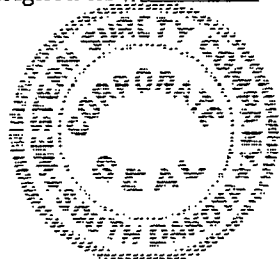
☐

The county has been amended to:

Nothing herein contained shall be held to vary, alter, waive, or extend any of the terms, limits, or conditions of the bond, except as hereinabove set forth.

This rider becomes effective on the 1st day of March, 2015, at twelve and one minute o'clock a.m., standard time.

Signed this 21st day of January, 2015.



BY: \_\_\_\_\_

Principal

WESTERN SURETY COMPANY, Surety

BY: \_\_\_\_\_

Paul T. Bruflat, Senior Vice President

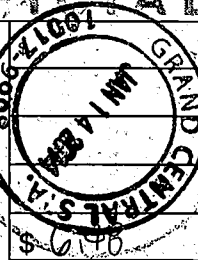
7013 0600 0001 2972 3993

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage  
Certified Fee  
Return Receipt Fee  
(Endorsement Required)  
Restricted Delivery Fee  
(Endorsement Required)  
Total Postage & Fees



Postmark  
Here

Reb  
StarJem

Sent to  
Manhattan Community Board No. 5  
Street, Apt. No.,  
or PO Box No. 450 Seventh Avenue Suite 2109  
City, State, ZIP+4  
New York NY 10123

### **Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

### **Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

FERRARI & FERRARI LLP

Attorneys at Law  
630 THIRD AVENUE, 18<sup>TH</sup> FLOOR, NEW YORK, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

ROBERT V. FERRARI  
rvf@rvferrari.com  
MICHAEL FERRARI  
mf@rvferrari.com

January 14, 2015

Manhattan Community Board No. 5  
450 Seventh Avenue, Suite 2109  
New York, New York 10123

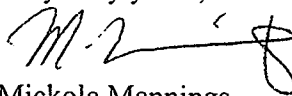
Re: Starjem LLC  
d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,



Mickola Mannings  
Paralegal/Secretary

Enclosure

Via Certified Mail/  
Return Receipt Requested

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

State of New York  
Executive Department  
Division of Alcoholic Beverage Control  
State Liquor Authority

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a  
Local Municipality or Community Board**

(Page 1 of 2 of Form)

1. Date Notice was Sent: (mm/dd/yyyy)
2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License  
☐ New Application ☒ Renewal ☐ Alteration ☐ Corporate Change

**This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board**

3. Name of Municipality or Community Board

**Applicant/Licensee Information**

4. License Serial Number, if not New Application:  Expiration Date, if not New Application:
5. Applicant or Licensee Name:
6. Trade Name (if any):
7. Street Address of Establishment:
8. City, Town or Village:  ,NY Zip Code:
9. Business Telephone Number of Applicant/Licensee:
10. Business Fax Number of Applicant/Licensee:
11. Business E-mail of Applicant/Licensee:

**For New applicants, provide description below using all information known to date.  
For Alteration applicants, attach complete description and diagram of proposed alteration(s).  
For Current Licensees, set forth approved Method of Operation only.  
Do Not Use This Form to Change Your Method of Operation.**

12. Type(s) of Alcohol sold or to be sold: ("X" One) ☐ Beer Only ☐ Wine & Beer Only ☒ Liquor, Wine & Beer
13. Extent of Food Service: ("X" One) ☒ Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef) ☐ Tavern/Cocktail Lounge/Adult Venue/Bar (Alcohol sales primarily; Meets legal minimum food availability requirements)
14. Type of Establishment: ("X" all that apply)  
☒ Recorded Music ☐ Live Music ☐ Disc Jockey ☐ Juke Box ☐ Karaoke Bar ☐ Stage Shows  
☐ Patron Dancing (small scale) ☐ Cabaret, Night Club (Large Scale Dance Club) ☐ Catering Facility  
☐ Capacity of 600 or more patrons ☐ Topless Entertainment ☒ Restaurant ☐ Hotel  
☐ Recreational Facility (Sports Facility/Vessel) ☐ Club (e.g. Golf Club/Fraternal Org.) ☐ Bed & Breakfast  
☐ Seasonal Establishment
15. Licensed Outdoor Area: ("X" all that apply)  
☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure  
☐ Sidewalk Cafe ☐ Other (specify):

State of New York  
Executive Department  
Division of Alcoholic Beverage Control  
State Liquor Authority

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a  
Local Municipality or Community Board**  
(Page 2 of 2 of Form)

16. List the floor(s) of the building that the establishment is located on:
17. List the room number(s) the establishment is located in within the building, if appropriate:
18. Is the premises located with 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. Does the applicant or licensee own the building in which the establishment is located? ("X" One) ☐ Yes (If Yes SKIP 21-24) ☒ No

**Owner of the Building in Which the Licensed Establishment is Located**

21. Building Owner's Full Name:
22. Building Owner's Street Address:
23. City, Town or Village:  State:  Zip Code:

**Attorney Representing the Applicant in Connection with the Applicant's License Application Noted as Above for the  
Establishment Identified in this Notice**

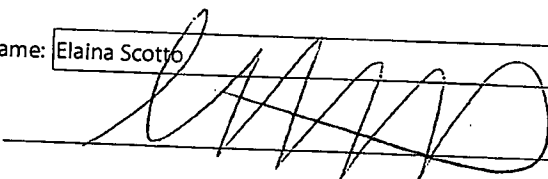
25. Attorney's Full Name:
26. Attorney's Street Address:
27. City, Town or Village:  State:  Zip Code:
28. Business Telephone Number of Attorney:
29. Business Email Address of Attorney:

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

30. Printed Name:  Title:

Signature: X





OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

**STATE OF NEW YORK**  
**NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

**Agency:** NYS Liquor Authority**Date:** 1/26/2015**Division/Bureau:** Renewals**1. Name of individual appearing:** Ferrari & Ferrari LLP- By Michael Ferrari**Address:** 630 Third Avenue, 18th Floor, New York, NY 10017**Telephone:** (212) 972-7040**Email:** mf@rvferrari.com**2. Client represented:** Starjem LLC d/b/a Fresco By Scotto On The Go- Serial No. 1027037**Address:** 40 East 52nd Street, New York, NY 10022**Telephone:** (212) 754-2700**3. Subject of appearance:** ☒ **Regulatory/Enforcement** ☐ **Lobbying**

Filing application for renewal of on-premises liquor license.

**4. Acting in capacity of:**☒ **Attorney** ☐ **Lobbyist** ☐ **Agent**☐ **Other (describe)** \_\_\_\_\_**5. Are you being compensated?** ☒ **Yes** ☐ **No****If YES, Check FEE or SALARY** ☒ **FEE** ☐ **SALARY****6. Signature of individual appearing:****7. Agency official (print name):** \_\_\_\_\_**Signature:** \_\_\_\_\_

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.





ANDREW M. CUOMO  
GOVERNOR

STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY

ALFRED E. SMITH BUILDING  
80 SOUTH SWAN STREET, SUITE 900  
ALBANY, NY 12210-8002  
[www.sla.ny.gov](http://www.sla.ny.gov)

DENNIS ROSEN  
CHAIRMAN

JEANIQUE GREENE  
COMMISSIONER

KEVIN KIM  
COMMISSIONER

STARJEM LLC  
40 E 52ND STREET  
NEW YORK, NY 10022  
[elaina@frescobyscotto.com](mailto:elaina@frescobyscotto.com)

Date: 2/4/15      Batch #6718      Item #19      Serial #1027037

**THIS WILL BE THE ONLY NOTICE SENT. FAILURE TO COMPLY WITHIN 15 DAYS MAY RESULT  
IN THE DISAPPROVAL OF YOUR RENEWAL APPLICATION**

Submit Copy of Certificate of Assumed Name Filing Receipt or Business Certificate (Trade or DBA name)

**HOWEVER, YOU MUST SUBMIT THE NECESSARY PAPERWORK WITHIN 15 DAYS OF THIS NOTICE.  
FAILURE TO DO SO COULD RESULT IN DISCIPLINARY CHARGES BROUGHT AGAINST YOU.**

**Please return the items requested to the address above or email to  
[Renewals@sla.ny.gov](mailto:Renewals@sla.ny.gov).**

**Be sure to indicate the Serial # of your license.**

**FERRARI & FERRARI LLP**

Attorneys at Law  
630 Third Avenue, 18<sup>th</sup> floor, New York, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

ROBERT V. FERRARI  
rvf@rvferrari.com  
MICHAEL FERRARI  
mf@rvferrari.com

February 5, 2015

Sent via email:

New York State Liquor Authority  
80 South Swan Street, Suite 900  
New York, NY 12210-8002  
Attn: Renewals

Re: Starjem LLC d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street, New York, New York 10022  
Serial No. 1027037

Dear Sir/Madam,

In response to the recent deficiency renewal letter dated February 4, 2015 for the above referenced matter, the renewal application was sent to the Authority with the wrong the trade name of Fresco By Scotto On The Go. Please note the trade name has not changed and remains Fresco On The Go. Please see attached bond rider with the correct trade name, a copy of the deficiency letter, and the amended page 2 of the renewal application with correct the trade name.

If you have any questions please feel free to contact our office.

Sincerely,

  
Michael Ferrari

**RETAIL-RENEWAL**

ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

**1. Licensed Premises Information**Is your licensed premises closed? ☐ YES ☒ NOIf yes, is your license in safekeeping with the Authority? ☐ YES ☐ NOIf yes, do you wish for your license to remain in Safekeeping at Renewal? ☐ YES ☐ NO

If yes to any of the above, submit a statement giving the reason that the license is in Safekeeping and the date that is planned for the premises to re-open. Please be aware that licenses cannot remain in Safekeeping for an indefinite period of time.

Licensed Premises Name: Starjem LLC

License Serial #: 1027037

Trade Name (if applicable): Fresco On The Go

Federal Employer Identification Number: [REDACTED]

**1a. Method of Operation: The following questions must be answered by all On-Premises license holders, including beer, beer & wine, or beer, wine & liquor**

Section 109 of the ABC Law requires a statement to be submitted indicating the type of establishment operated at the premises.

If you hold an **on-premises** license, please select the method of operation from the following list:

- ☒ Restaurant ☐ Catering Establishment ☐ Club (i.e., Fraternal Org) ☐ Hotel ☐ Bed & Breakfast ☐ Ball Park/Stadium/Arena  
☐ Bar/Tavern ☐ Sports Bar ☐ Cabaret ☐ Night Club/Dance Club ☐ Adult Entertainment ☐ Country Club/ Golf Course

If dancing is permitted at the premises, who is be permitted to dance? ☐ Patrons ☐ Employees for entertainment ☐ BothIf dancing is permitted, Is there exotic dancing including, but not limited to, pole dancing and/or lap dancing? ☐ YES ☒ NOIs there topless entertainment at the premises? ☐ YES ☒ NO

Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority. Attach additional sheets if necessary.

NONE

**1b. Address of the Licensed Premises**

If your address has been changed as a result of a 911 change, please provide proof of the change such as notification of the 911 address change from the local Municipality/Community Board.

Licensed Premises Address: 40 East 52nd Street

City: New York

State: NY

Zip Code: 10022

County: New York

Email Address:

elaina@frescobyscotto.com

Premises Telephone # (include area code): (212) 754-2700

Contact Phone # (include area code): (212) 972-7040

**Mailing Address (if different than premises address)**

Mailing Address:

City:

State:

Zip Code:



# Western Surety Company

Rider to be attached to Bond No. 24883192

## NEW YORK LIQUOR BOND RIDER

This rider is valid only when used to amend Retail On and Off Premises Bonds (Bond Form L-9, prescribed by the New York State Liquor Authority, June 3, 1974) where the penalty does not exceed One Thousand Dollars (\$1,000).

It is hereby mutually agreed and understood by and between the Principal, Starjem LLC

\_\_\_\_\_, and Western Surety Company, a corporation organized and existing under the laws of the State of South Dakota and authorized to transact business in New York State, as Surety, that

☐

the principal's address on this bond has been changed as follows:

☒

the principal(s) on this bond has(have) been changed as follows:

Starjem LLC dba Fresco On The Go

☐

the \_\_\_\_\_ date(s) of  
(enter effective date or expiration date or both)  
this bond has(have) been changed as follows:

☐

This bond is amended to include additional space included in the licensed premises:

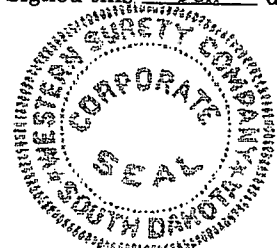
☐

The county has been amended to:

Nothing herein contained shall be held to vary, alter, waive, or extend any of the terms, limits, or conditions of the bond, except as hereinabove set forth.

This rider becomes effective on the 31st day of January, 2015, at twelve and one minute o'clock a.m., standard time.

Signed this 9th day of February, 2015.



Form 1788-4-2002

BY: \_\_\_\_\_  
Principal

WESTERN SURETY COMPANY, Surety

BY: Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 02/10/2015  
EXPIRATION DATE: 2/28/2017  
CERTIFICATE #: 844330

# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES: IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

## METHOD OF OPERATION

RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00

Dennis Rosen  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B844330

FOLD AND TEAR HERE

FOLD AND TEAR HERE



State Liquor  
Authority

742385

ANDREW M. CUOMO  
Governor

RECEIVED FEB 13 2017

VINCENT G. BRADLEY  
Chairman

GREELEY FORD  
Commissioner

## RENEWAL ADVISORY

Serial #: 1027037

NEW / OP / 252

New Effective Date: 03/01/2017

New Expiration Date: 02/28/2019

License Fee: \$4,352.00

Filing Fee: \$90.00

Premises Address:

STARJEM LLC

40 E 52ND STREET

NEW YORK, NY 10022

**TOTAL FEE DUE: \$4,442.00**

1/6

*This letter is to notify you that your current license is due to expire on 02/28/2017. The renewal procedures have changed so please review all forms / instructions carefully.*

**THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.**

**APPLICANTS SHOULD KEEP A COPY OF THE RENEWAL APPLICATION AND ALL SUPPORTING DOCUMENTS FOR THEIR RECORDS**

*The renewal application form can be found on the Authority's website at [www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)*

*You must complete the renewal application and return it with this renewal advisory to the address below:*

M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267

**You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.**

The required Community Board notice form for New York City on-premises licensees is also available on our website. You must notify the Community Board at least 30 days prior to sending the renewal forms to the Authority.

**NOTE:** Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.

FOR RENEWAL INFORMATION VISIT OUR WEBSITE

[www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)

If Undeliverable Return To:  
NYS Liquor Authority  
80 S. Swan St., Suite 900  
Albany, NY 12210



U.S. POSTAGE >> PITNEY BOWES

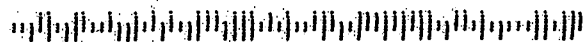


ZIP 12223 \$ 000.46<sup>5</sup>  
02 1W  
0001400012 NOV. 30. 2016

STARJEM LLC  
40 E 52ND STREET  
NEW YORK, NY 10022

## IMPORTANT – LICENSE RENEWAL ADVISORY

1002235911 CG74



BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number	This bond expires in 2019	Penal Sum of Bond \$1,000.00 Plus Costs
--------------------	-------------	------------------------------	--

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant <b>Starjem LLC dba Fresco On The Go</b>	Address of Place of Business of <b>40 East 52nd Street, New York</b>
--	---

in the county of **New York**, State of **NEW YORK** **10022**, as Principal, and

Name of Insurance Company <b>WESTERN SURETY COMPANY</b>	Address of Office or usual Place of Business P.O. Box 5077 Sioux Falls, SD 57117-5077
--	---

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

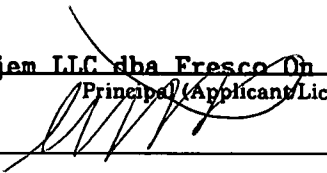
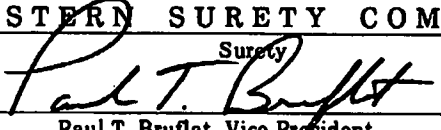
NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless such revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective inscription or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond, and further waive the objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety, and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the principal and surety, or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
31 day of January 2017

Name of issuing agency **GLOBAL COVERAGE, INC.** Address **9 E. 37TH ST., 4TH FLOOR, NEW YORK, NY 10016-2897**  
Phone # **(212)683-2622**

**Starjem LLC dba Fresco On The Go** L. S. **WESTERN SURETY COMPANY**  
Principal (Applicant/Licensee) Surety

BY:  BY:  L. S.  
Paul T. Bruflat, Vice President



**RENEWAL APPLICATION / INSTRUCTION FORM**

**PLEASE ALLOW TEN(10) BUSINESS DAYS FOR PROCESSING. BE ADVISED THAT ANY DEFICIENCY IN THE APPLICATION OR FAILURE TO PROVIDE ALL SUPPORTING DOCUMENTATION WILL DELAY THE PROCESSING OF YOUR RENEWAL OR MAY LEAD TO THE DISAPPROVAL OF YOUR RENEWAL.**

**The following documents are required to be submitted by all NYS Retail Licensees:**

- ☒ Renewal Advisory
- ☒ Completed Renewal Application form (all pages)
- ☒ Submit a check or money order payable to New York State Liquor Authority in the total amount as shown on the Renewal Advisory.
- ☒ Original surety bond in the appropriate amount; **SIGNED BY THE LICENSEE**; and with the expiration of the bond being the same as the license expiration date on the Renewal Advisory. The bond must have the premises name and address typed exactly as it appears on your license certificate.

**REQUIRED FOR NEW YORK CITY ON-PREMISES LICENSEES ONLY:**

- Submit a copy of the *Standardized Notice Form for providing a 30-Day Advance Notice to a local Community Board* as required by Section 110 (b)(b) of the ABC Law that was sent to the Community Board. This section of the ABC Law requires that all on-premises licensees (whether licensed for beer; beer& wine; or beer, wine & liquor) located within the city of New York notify the Community Board that they are renewing their license.
- ☒ required by Section 110 (b)(b) of the ABC Law that was sent to the Community Board. This section of the ABC Law requires that all on-premises licensees (whether licensed for beer; beer& wine; or beer, wine & liquor) located within the city of New York notify the Community Board that they are renewing their license.

Also submit proof of how the *Standardized 30-day Notice Form to the Community Board* was sent which consists of:

- ☒ a. A copy of the certified mail receipt or a copy of the certified mail card - return receipt requested; or
- b. A copy of the delivery receipt from a commercially recognized delivery service; or
- c. A copy of the Standardized Notice Form form date-stamped by the Community Board.

**If applicable, submit the following:**

- ☒ Notice of appearance if an attorney or representative assisted in completing this renewal application.

- If the Trade Name has changed since the last renewal filing you must also include an Assumed Name Filing Receipt
- ☐ from the NYS Dept. of State (for a corporation, Inc, LLC, LP or Ltd.) or a Business Certificate from the County Clerk's office (for sole proprietors) with the renewal application.

***The only change that can be made during the Renewal process is the Trade Name (DBA) change. If there have been any changes to the principals of the license, any physical changes to the establishment or changes to the approved method of operation you must file the appropriate change application that can be found on our website at: [www.sla.ny.gov](http://www.sla.ny.gov). You must receive approval from the Authority before making any such changes.***

The completed application and any supporting information, including the **Renewal Advisory**, must be mailed to the address below:

**M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267**

## ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

**1. Licensed Premises Information**Is your licensed premises closed? ☐ YES ☒ NOIf yes, is your license in safekeeping with the Authority? ☐ YES ☐ NOIf yes, do you wish for your license to remain in Safekeeping at Renewal? ☐ YES ☐ NOIf yes to any of the above, submit a statement giving the reason that the license is in Safekeeping and the date that is planned for the premises to re-open. *Please be aware that licenses cannot remain in Safekeeping for an indefinite period of time.*

Licensed Premises Name: Starjem LLC

License Serial #: 1027037

Trade Name (if applicable): Fresco On The Go

Federal Employer Identification Number: [REDACTED]

**1a. Method of Operation: The following questions must be answered by all On-Premises license holders, including beer, beer & wine, or beer, wine & liquor**

Section 109 of the ABC Law requires a statement to be submitted indicating the type of establishment operated at the premises.

If you hold an **on-premises** license, please select the method of operation from the following list:☒ Restaurant ☐ Catering Establishment ☐ Club (i.e., Fraternal Org) ☐ Ball Park/Stadium/Arena ☐ Cabaret ☐ Bed & Breakfast☐ Bar/Tavern ☐ Adult Entertainment ☐ Night Club/Dance Club ☐ Country Club/ Golf Course ☐ Hotel ☐ Sports BarIf dancing is permitted at the premises, who is be permitted to dance? ☐ Patrons ☐ Employees ☐ Both ☒ Not ApplicableIf dancing is permitted, is there exotic dancing (i.e.pole dancing, lap dancing, etc.)? ☐ YES ☐ NO ☒ Not ApplicableIs there topless entertainment at the premises? ☐ YES ☒ NO

Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority. Attach additional sheets if necessary.

None

**1b. Address of the Licensed Premises**

Licensed Premises Address: 40 East 52nd Street

*\*Required*

City: New York

State: NY

Zip Code: 10022

County: New York

Email Address:

*\*Required*

elaina@frescobyscotto.com

Premises Telephone # (include area code): (212) 754-2700

Contact Phone # (include area code): (212) 972-7040

*\*Required*

If the address your premise is know by has changed as a result of a 911 update, provide a copy of the 911 address notification form, a letter from the local municipality, or other proof of the address update.

**Mailing Address (if different than premises address)**

Mailing Address: [REDACTED]

City: [REDACTED]

State: [REDACTED]

Zip Code: [REDACTED]

**1c. Landlord/Building Owner Name and Address - also required if building is owned by the licensee**

Landlord Name:

Address:

City:  State:  Zip Code:

**2. Arrest/Conviction Information**

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been **ARRESTED** and/or **CONVICTED** during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations?

☐ YES ☒ NO ☐ Previously Reported

If YES, complete the chart below. Submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If the charge(s) are not complete submit documentation showing your next court appearance. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

**3. Applicant Information and Certification**

The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.

**A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.)**

Print Name:  Date of Birth:  Social Security #:

Residence street address:

City:  State:  Zip Code:

Telephone # (include area code):  Cell Phone # (include area code):

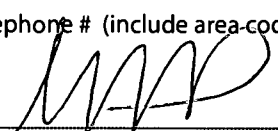
Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**B. Partnership (This section must be completed, signed and dated by each partner.)**  
**Attach additional sheets if necessary**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Partner Signature		Title		Date	

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Partner Signature		Title		Date	

**C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer. This principal should be the primary point of contact.)**

Print Name:	Elaina Scotto	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	LLC Member				
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Authorized Signature			V Pres		1/24/17
		Title		Date	

**C. - Continued - All remaining Principals on the license must be listed below.****(Attach additional sheets as needed to include all principals)**

Print Name:	Marion Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:	Anthony Scotto, Jr	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:	Rosanna Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:		Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:					
Telephone # (include area code):		Cell Phone # (include area code):			

**D. Club** *(This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)*

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/>				
Telephone # (include area code):	<input type="text"/>		Cell Phone # (include area code):	<input type="text"/>	
Authorized Signature _____		Title _____		Date _____	



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

**STATE OF NEW YORK****NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

**Agency:** NYS Liquor Authority**Date:** 2/7/2017**Division/Bureau:** Renewals**1. Name of individual appearing:** Ferrari & Ferrari LLP- By Michael Ferrari**Address:** 630 Third Avenue, 18th Floor, New York, NY 10017**Telephone:** (212) 972-7040**Email:** mf@rvferrari.com**2. Client represented:** Starjem LLC d/b/a Fresco By Scotto On The Go- Serial No. 1027037**Address:** 40 East 52nd Street, New York, NY 10022**Telephone:** (212) 754-2700**3. Subject of appearance:** ☒ **Regulatory/Enforcement** ☐ **Lobbying**

Filing application for renewal of on-premises liquor license.

**4. Acting in capacity of:**☐ **Attorney** ☐ **Lobbyist** ☐ **Agent**  
☐ **Other (describe)** \_\_\_\_\_**5. Are you being compensated?** ☐ **Yes** ☐ **No**If YES, Check FEE or SALARY ☐ **FEE** ☐ **SALARY****6. Signature of individual appearing:** Michael Ferrari**7. Agency official (print name):** \_\_\_\_\_**Signature:** \_\_\_\_\_

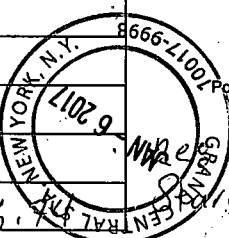
\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

7013 0600 0001 2972 6024

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Street, Apt. No.,  
or PO Box No. *450 Seventh Ave, Suite 209*  
City, State, ZIP+4  
*New York NY 10123*



### **Certified Mail Provides:**

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- A record of delivery kept by the Postal Service for two years

### **Important Reminders:**

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- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

**FERRARI & FERRARI LLP**

Attorneys at Law  
630 Third Avenue, 18<sup>th</sup> floor, New York, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

ROBERT V. FERRARI  
rvf@rvferrari.com  
MICHAEL FERRARI  
mf@rvferrari.com

January 5, 2017

Manhattan Community Board No. 5  
450 Seventh Avenue, Suite 2109  
New York, New York 10123

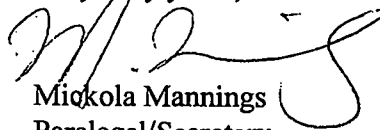
Re: Starjem LLC  
d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

  
Mickola Mannings  
Paralegal/Secretary

Enclosure

Via Certified Mail/  
Return Receipt Requested


**State Liquor  
Authority**
**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a  
Local Municipality or Community Board**

(Page 1 of 2)

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

1. Date Notice Was Sent: 1/4/2017 1a. Delivered by: Certified Mail Return Receipt Requested

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

☐ New Application ☒ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change

For New applicants, answer each question below using all information known to date.

For Renewal applicants, set forth your approved Method of Operation only.

For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s).

For Corporate Change applicants, attach a list of the current and proposed corporate principals.

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation.

For Class Change applicants, attach a statement detailing your current license type and your proposed license type.

**This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board**

3. Name of Municipality or Community Board: Manhattan Community Board No. 5
**Applicant/Licensee Information**

4. License Serial Number, if Applicable: 1027037 Expiration Date, if Applicable: Feb 28, 2017

5. Applicant or Licensee Name: Starjem LLC

6. Trade Name (if any): Fresco On The Go

7. Street Address of Establishment: 40 East 52nd Street

8. City, Town or Village: New York, NY Zip Code: 10022

9. Business Telephone Number of Applicant/Licensee: (212) 754-2700

10. Business Fax Number of Applicant/Licensee: (212) 754-1661

11. Business E-mail of Applicant/Licensee: elaina@frescobyscotto.com

12. Type(s) of Alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

13. Extent of Food Service: ☒ Full food menu; ☐ Menu meets legal minimum food availability requirements;  
Full Kitchen run by a chef or cook Food prep area at minimum

14. Type of Establishment: Restaurant

15. Method of Operation: (Check all that apply)

<input type="checkbox"/> Seasonal Establishment	<input type="checkbox"/> Juke Box	<input type="checkbox"/> Disc Jockey	<input checked="" type="checkbox"/> Recorded Music	<input type="checkbox"/> Karaoke
<input type="checkbox"/> Live Music (Give details: i.e. rock bands, acoustic, jazz, etc.): _____				
<input type="checkbox"/> Patron Dancing	<input type="checkbox"/> Employee Dancing	<input type="checkbox"/> Exotic Dancing	<input type="checkbox"/> Topless Entertainment	
<input type="checkbox"/> Video/Arcade Games	<input type="checkbox"/> Third Party Promoters	<input type="checkbox"/> Security Personnel		
<input type="checkbox"/> Other (specify): _____				

16. Licensed Outdoor Area: (Check all that apply)

<input checked="" type="checkbox"/> None	<input type="checkbox"/> Patio or Deck	<input type="checkbox"/> Rooftop	<input type="checkbox"/> Garden/Grounds	<input type="checkbox"/> Freestanding Covered Structure
<input type="checkbox"/> Sidewalk Cafe <input type="checkbox"/> Other (specify): _____				



**State Liquor  
Authority**

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a  
Local Municipality or Community Board**

(Page 2 of 2)

17. List the floor(s) of the building that the establishment is located on: First Floor
18. List the room number(s) the establishment is located in within the building, if appropriate: n/a
19. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
20. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
21. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee.  
\_\_\_\_\_
22. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if Yes SKIP 23-26) ☒ No

**Owner of the Building in Which the Licensed Establishment is Located**

23. Building Owner's Full Name: 40 East 52nd Street LP.
24. Building Owner's Street Address: 345 Park Avenue
25. City, Town or Village: New York State: NY Zip Code: 10154
26. Business Telephone Number of Building Owner: 212-407-2472

**Representative or Attorney representing the Applicant in Connection with the  
application for a license to traffic in alcohol at the establishment identified in this notice**

27. Representative/Attorney's Full Name: Ferrari & Ferrari LLP- Michael Ferrari
28. Street Address: 630 Third Avenue, 18th Floor
29. City, Town or Village: New York State: NY Zip Code: 10017
30. Business Telephone Number of Representative/Attorney: (212) 972-7040
31. Business Email Address: mf@vferrari.com

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.

32. Printed Name: Elaina Scotto Title: LLC Member

Signature: X

**FERRARI & FERRARI LLP**

Attorneys at Law  
630 Third Avenue, 18<sup>th</sup> floor, New York, N.Y. 10017  
(212) 972-7040  
TELECOPIER (212) 922-1939

ROBERT V. FERRARI  
rvf@rvferrari.com  
MICHAEL FERRARI  
mf@rvferrari.com

February 7, 2017

M&T Bank Lockbox  
New York State Liquor Authority  
P.O. Box 8000- Dept. 930  
Buffalo, New York 14267

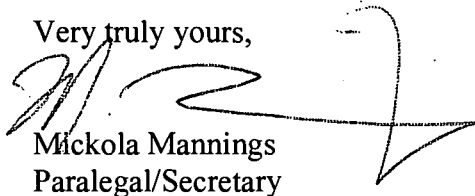
Re: Starjem Restaurant Corp d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, NY 10022  
Serial No. 1027037

Dear Sir/Madam,

Enclosed please find the completed filing application for the renewal of an on-premise liquor license.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

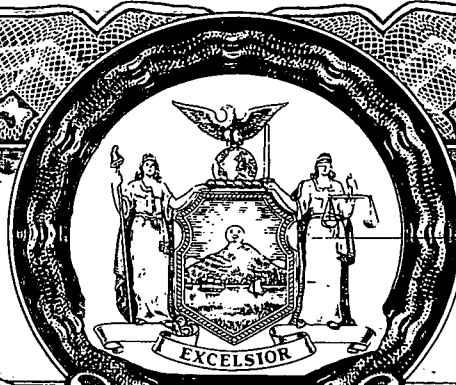


Mickola Mannings  
Paralegal/Secretary

ON-PREMISES LIQUOR LICENSE

SERIAL #: 1027037

COUNTY: NEW YORK



EFFECTIVE DATE: 02/21/2017

EXPIRATION DATE: 02/28/2019

CERTIFICATE #: 871855

# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES: IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW

## METHOD OF OPERATION

RESTAURANT SERVING BEER CIDER WINE AND LIQUOR

STARJEM LLC

FRESCO ON THE GO

40 E 52ND STREET

NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00

Vincent G. Bradley  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B0871855

FOLD AND TEAR HERE

FOLD AND TEAR HERE

1/18  
RECEIVED FEB 21 2019

# NEW YORK STATE LIQUOR AUTHORITY RENEWAL ADVISORY

81 05 60

Serial #: 1027037

Key: 191NEWOP0008460252

License fee:	4,352.00
Filing fee:	90.00
Total fee due:	4,442.00

New effective date:	03/01/2019
New expiration date:	02/28/2021

**Premises Address:**

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK, NY 10022

*This letter is to notify you that your current license/permit is due to expire on 02/28/2019.  
The renewal procedures have changed so please review all forms / instructions carefully.*

**THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.**

*The renewal application form can be found on the Authority's website at  
[www.sla.ny.gov/renewals](http://www.sla.ny.gov/renewals)*

You must complete the renewal application and return it with this renewal advisory to the address below:

*M&T Bank Lockbox  
New York State Liquor Authority  
PO Box 8000-Dept 930  
Buffalo, New York 14267*

**NOTE:** Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.

You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.

All on-premises applicants located within the five (5) boroughs of New York City (whether beer; beer & wine; or beer, wine & liquor) are required to notify the local Community Board at least 30 days prior to filing their renewal application with the NYS Liquor Authority (per Section 110(b) of the ABC Law).

**THE STANDARDIZED COMMUNITY BOARD/MUNICIPALITY NOTICE AND PROOF OF DELIVERY MUST BE SUBMITTED WITH THIS APPLICATION.**

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT  
UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

Application Number	Bond Number	This bond expires in	Penal Sum of Bond
		2021	\$1,000.00 Plus Costs

KNOW ALL MEN BY THESE PRESENTS, that we

Name of Applicant	Address of Place of Business
Starjem LLC dba Fresco On The Go	of 40 East 52nd Street, New York

in the county of New York, State of NEW YORK 10022, as Principal, and

Name of Insurance Company	Address of Office or usual Place of Business
WESTERN SURETY COMPANY	P.O. Box 5077 Sioux Falls, SD 57117-5077

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00).
3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless such revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
7. In an action or proceeding to recover on this bond, the principal and the company named herein as Surety waive and release their right to object to any defect in the bond, including, but not limited to, an erroneous, improper or defective inscription or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond, or further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety, and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. The bond filed with the State Liquor Authority and bearing the printed or facsimile name of the principal and the printed or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this  
31 day of January 2019

Name of issuing agency GLOBAL COVERAGE, INC. Address 9 E. 37TH ST., 4TH FLOOR, NEW YORK, NY 10016-2897  
Phone # (212)683-2622

Starjem LLC dba Fresco On The Go L. S. WESTERN SURETY COMPANY  
Principal (Applicant/Licensee) Surety

BY: [Signature] BY: Paul T. Bruflat L. S.  
Paul T. Bruflat, Vice President



ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

**1. Licensed Premises Information**Is your licensed premises closed? ☐ YES ☒ NOIf yes, is your license in safekeeping with the Authority? ☐ YES ☐ NOIf yes, do you wish for your license to remain in Safekeeping at Renewal? ☐ YES ☐ NOIf yes to any of the above, submit a statement giving the reason that the license is in Safekeeping and the date that is planned for the premises to re-open. *Please be aware that licenses cannot remain in Safekeeping for an indefinite period of time.*

Licensed Premises Name: Starjem LLC

License Serial #: 1027037

Trade Name (If applicable): Fresco On The Go

Federal Employer Identification Number: [REDACTED]

**1a. Method of Operation: The following questions must be answered by all On-Premises license holders, including beer, beer & wine, or beer, wine & liquor**

Section 109 of the ABC Law requires a statement to be submitted indicating the type of establishment operated at the premises.

If you hold an **on-premises** license, please select the method of operation from the following list:

☒ Restaurant ☐ Catering Establishment ☐ Club (i.e., Fraternal Org) ☐ Ball Park/Stadium/Arena ☐ Cabaret ☐ Bed & Breakfast  
☐ Bar/Tavern ☐ Adult Entertainment ☐ Night Club/Dance Club ☐ Country Club/ Golf Course ☐ Hotel ☐ Sports Bar

If dancing is permitted at the premises, who is be permitted to dance? ☐ Patrons ☐ Employees ☐ Both ☒ Not ApplicableIf dancing is permitted, is there exotic dancing (i.e.pole dancing, lap dancing, etc.)? ☐ YES ☐ NO ☒ Not ApplicableIs there topless entertainment at the premises? ☐ YES ☒ NO

Please list any condition(s) or stipulation(s) associated with your current license that were agreed to with the local Municipality/ Community Board or placed on your license by the Authority. Attach additional sheets if necessary.

NONE

**1b. Address of the Licensed Premises**

Licensed Premises Address: 40 East 52nd Street

*\*Required*

City: New York

State: NY

Zip Code: 10022

County: New York

Email Address:

*\*Required*

elaina@frescobyscotto.com

Premises Telephone # (include area code):

(212) 754-2700

Contact Phone # (include area code):

(212) 972-7040

*\*Required*

If the address your premise is know by has changed as a result of a 911 update, provide a copy of the 911 address notification form, a letter from the local municipality, or other proof of the address update.

**Mailing Address (if different than premises address)**

Mailing Address:

City:

State:

Zip Code:

**1c. Landlord/Building Owner Name and Address - also required if building is owned by the licensee**

Landlord Name:

Address:

City:  State:  Zip Code:

**2. Arrest/Conviction Information**

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been **ARRESTED** and/or **CONVICTED** during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations?

☐ YES ☒ NO ☐ Previously Reported

If YES, complete the chart below. Submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If the charge(s) are not complete submit documentation showing your next court appearance. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

**3. Applicant Information and Certification**

The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.

**A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.)**

Print Name:  Date of Birth:  Social Security #:

Residence street address:

City:  State:  Zip Code:

Telephone # (include area code):  Cell Phone # (include area code):

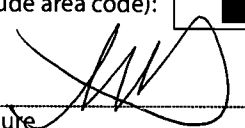
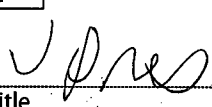
Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**B. Partnership (This section must be completed, signed and dated by each partner.)**  
**Attach additional sheets if necessary**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>		Cell Phone # (include area code):	<input type="text"/>	
Partner Signature		Title		Date	

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Telephone # (include area code):	<input type="text"/>		Cell Phone # (include area code):	<input type="text"/>	
Partner Signature		Title		Date	

**C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer. This principal should be the primary point of contact.)**

Print Name:	Elaina Scotto	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	LLC Member				
Telephone # (include area code):	<input type="text"/>		Cell Phone # (include area code):	<input type="text"/>	
Authorized Signature			Title		
				Date 2/4/19	

**C. - Continued - All remaining Principals on the license must be listed below.**  
**(Attach additional sheets as needed to include all principals)**

Print Name:	Marion Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:	Anthony Scotto, Jr	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:	Rosanna Scotto	Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:	LLC Member				
Telephone # (include area code):		Cell Phone # (include area code):			

Print Name:		Date of Birth:		Social Security #:	
Residence street address:					
City:		State:		Zip Code:	
Title:					
Telephone # (include area code):		Cell Phone # (include area code):			

**D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)**

Print Name:	<input type="text"/>	Date of Birth:	<input type="text"/>	Social Security #:	<input type="text"/>
Residence street address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip Code:	<input type="text"/>
Title:	<input type="text"/>				
Telephone # (include area code):	<input type="text"/>	Cell Phone # (include area code):	<input type="text"/>		
Authorized Signature		Title		Date	

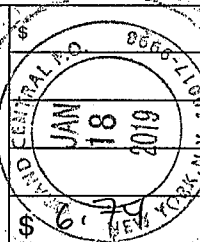
7013 0600 0001 2972 5850

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(Endorsement Required)  
Restricted Delivery Fee  
(Endorsement Required)  
Total Postage & Fees



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LLC

Sent To Manhattan Community Board No. 5  
Street, Apt. No.,  
or PO Box No. 400 Seventh Avenue, Suite 2109  
City, State, ZIP+4 NY, NY 10123

### **Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

### **Important Reminders:**

- Certified Mail may **ONLY** be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047



FARBER  
SCHNEIDER  
FERRARI  
LLP

MICKOLA MANNINGS, PARALEGAL

MMANNINGS@FSFLLP.COM

January 15, 2019

**VIA Certified Mail:**

Manhattan Community Board No. 5  
450 Seventh Avenue, Suite 2109  
New York, New York 10123

Re: Starjem LLC  
d/b/a Fresco On The Go  
40 East 52<sup>nd</sup> Street  
New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Yours very truly,

FARBER SCHNEIDER FERRARI LLP

By: 

Mickola Mannings



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

## Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice was Sent: 01/15/2019 1a. Delivered by: Certified Mail Return Receipt Requested

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

☒ New Application ☒ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change ☐ Method of Operation Change

For New applicants, answer each question below using all information known to date

For Renewal applicants, answer all questions

For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For Corporate Change applicants, attach a list of the current and proposed corporate principals

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For Class Change applicants, attach a statement detailing your current license type and your proposed license type

For Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

**This 30-Day Advance Notice Is Being Provided to the Clerk of the Following Local Municipality or Community Board:**

3. Name of Municipality or Community Board: Manhattan Community Board No. 5

**Applicant/Licensee Information:**

4. Licensee Serial Number (if applicable): 1027037 Expiration Date (if applicable): 02/28/2019

5. Applicant or Licensee Name: Starjem LLC

6. Trade Name (if any): Fresco On The Go

7. Street Address of Establishment: 40 East 52nd Street

8. City, Town or Village: New York, NY Zip Code: 10022

9. Business Telephone Number of Applicant/Licensee: (212) 754-2700

10. Business E-mail of Applicant/Licensee: elaina@frescobyscotto.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

☒ Full food menu; full kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment: Restaurant (full kitchen and full menu required)

14. Method of Operation: (check all that apply) ☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke

☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): \_\_\_\_\_

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): \_\_\_\_\_

15. Licensed Outdoor Area: (check all that apply) ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure

☐ Sidewalk Cafe ☐ Other (specify): \_\_\_\_\_

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: **First Floor**17. List the room number(s) the establishment is located in within the building, if appropriate: **n/a**18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No

20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

Name

Serial Number

21. Does the applicant or licensee own the building in which the establishment is located? ☒ Yes (If YES, SKIP 23-26) ☐ No**Owner of the Building In Which the Licensed Establishment Is Located**22. Building Owner's Full Name: **40 East 52nd Street L.P.**23. Building Owner's Street Address: **345 Park Avenue**24. City, Town or Village: **New York** State: **NY** Zip Code: **10154**25. Business Telephone Number of Building Owner: **(212) 407-2472****Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice**26. Representative/Attorney's Full Name: **Michael Ferrari**27. Representative/Attorney's Street Address: **261 Madison Avenue, 26th Floor**28. City, Town or Village: **New York** State: **NY** Zip Code: **10016**29. Business Telephone Number of Representative/Attorney: **(212) 972-7040**30. Business E-mail Address of Representative/Attorney: **mferrari@fsfilp.com**

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.

31. Printed Principal Name: **Elaina Scotto**Title: **LLC Member****Principal Signature:**

☐ Original☐ Amended

Date \_\_\_\_\_

**STATE OF NEW YORK  
NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (e.g., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

Agency: **NYS Liquor Authority / Division of Alcoholic Beverage Control**Date: **02/12/2019**Division / Bureau: **Renewals****1. Name of individual appearing: Michael Ferrari**Address: **261 Madison Avenue, 26th Floor**Telephone: **(212) 972-7040**E-mail: **mferrari@fsflp.com****2. Client represented: Starjem LLC d/b/a Fresco On the Go**Address: **40 East 52nd Street, New York, NY 10022**Telephone: **(212) 754-2700****3. Subject of appearance: ☒ Regulatory / Enforcement ☐ Lobbying**

Filing renewal application for Starjem LLC

**4. Acting in the capacity of: ☒ Attorney ☐ Lobbyist ☐ Agent ☐ Other (describe below)**

Description: \_\_\_\_\_

**5. Are you being compensated: ☒ Yes ☐ No**If YES, Check FEE or SALARY: ☒ FEE ☐ SALARY**6. Signature of individual appearing: \_\_\_\_\_****7. Agency official (printed name): \_\_\_\_\_**Signature: Michael Ferrari

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.



FARBER  
SCHNEIDER  
FERRARI  
LLP

February 12, 2019

**M&T Lockbox**

New York State Liquor Authority  
P.O Box 8000- Dept. 930  
Buffalo, New York 14267

Re: Starjem LLC d/b/a Fresco on The Go  
40 East 52<sup>nd</sup> Street New York, NY 10022  
Serial No. 1027039

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.  
This is being sent pursuant to the Alcoholic Beverage Control Law.

Yours very truly,

FARBER SCHNEIDER FERRARI LLP

By: \_\_\_\_\_

John MacGowan, Legal Assistant

Enclosed

ON-PREMISES LIQUOR LICENSE  
SERIAL #: 1027037  
COUNTY: NEW YORK



EFFECTIVE DATE: 02/25/2019  
EXPIRATION DATE: 2/28/2021  
CERTIFICATE #: 902419

# NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

## METHOD OF OPERATION

RESTAURANT SERVING BEER CIDER WINE AND LIQUOR

STARJEM LLC  
FRESCO ON THE GO  
40 E 52ND STREET  
NEW YORK NY 10022

FILING FEE \$90.00  
LICENSE FEE \$4,352.00

Vincent G. Bradley  
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No. B0902419

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#	Received	Address	Type	Premise	Doing Business As	Corp Name	Disposition
88	1/23/2019	21 West 52nd Street	New	OP		Omakasa 31WS2 LLC	NC
89	1/23/2019	40 Central Park South 116448	Renewal	OP	Sarabeths	SBCPS LLC	NC
90	1/23/2019	1385 Broadway	New	OP	by CHLOE.	BC 1385 Broadway LLC	NC
91	1/23/2019	390 5th Avenue 1283517	Renewal	WB	W Café	390 Café Inc	NC
92	1/23/2019	242 West 56th Street 252313	Renewal	OP	Szechuan Gourmet	Xing Yue Inc	NC
93	1/23/2019	1 West 54th Street 022460	Renewal	OP	The University Club	University Club, The	NC
94	1/23/2019	40 East 52nd Street 1027037	Renewal	OP	Fresco On The Go	Starjem LLC	NC
95	1/23/2019	138 West 32nd Street (138-142 West 32nd	New	WB	Black Iron Go	TVA Bakery LLC	NC
96	1/24/2019	142 West 46th Street	New	OP	Prime Square Restaurant Corp	Bekim Koxha	NC
97	1/24/2019	111 West 50th Street AKA 1271 6th Avenue	Renewal	WB	Le Pain Quotidien 1021235035	PQ 6th Ave Inc	NC
98	1/24/2019	340 Madison Avenue 1261571	Renewal	WB	Le Pain Quotidien	PQ 44th & Madison Inc	NC
99	1/24/2019	135 West 26th Street 11571600	Renewal	OP		Chik Associates LLC	NC
100	11/16/2018	156 West 38th Street AKA 515 7th Avenue	MO	OP	Jimmy's	200 MB Corp	NC with Affidavit
101	1/24/2019	37 West 44th Street (37 41 West 44th Street	Renewal	OP	New York Yacht Club, The 1022509	New York Yacht Club, The	NC
102	1/25/2019	287 7th Avenue 1181772	Renewal	WB	brgr	Sunburger 1 LLL	NC
103	1/25/2019	700 8th Avenue - Booth 2 1284312	Renewal	WB		ILILI Box Row NYC LLC	NC
104	1/25/2019	17 West 32nd Street 1023276	Renewal	OP	La Quinta Manhattan	New Generation Management Corp	NC
105	1/28/2019	230 Park Avenue Booth #14	New	WB	Black Iron Burger	BIB Vanderbilt Bakery LLC	NC
106	1/28/2019	450 Park Avenue South 11541649	Renewal	OP	PS 450	Vig Park Inc.	NC
107	1/28/2019	450 Park Avenue South	Renewal	OP	PS 450	Vig Park Inc.	NC
108	1/28/2019	43 West 54th Street 1026258	Renewal	OP	John Connolly's	Irish Town Inc.	NC
109	1/28/2019	810 7th Avenue 1284233	Renewal	OP	Convene	Sentry 810 Seventh LLC	NC
110	1/28/2019	41 East 20th Street 1216065	Renewal	OP	Mari Vanna	Ginza 2 LLC	NC
111	1/28/2019	32 East 21st Street 1250601	Renewal	OP	Hardings	Gravy New York LLC	NC
112	1/28/2019	225 West 44th Street 1023237	Renewal	OP	Shubert Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
113	1/28/2019	123 West 43rd Street 1021975	Renewal	OP	The Town Hall	Theatre Refreshment Co of NY inc & Sunlight	NC
114	1/28/2019	220 West 45th Street 1023233	Renewal	OP	Booth Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
115	1/28/2019	247 West 44th Street 1023236	Renewal	OP	Majestic Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
116	1/28/2019	242 West 45th Street 1023232	Renewal	OP	Jacobs Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
117	1/28/2019	252 West 45th Street 1023235	Renewal	OP	Golden Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
118	1/28/2019	149 West 45th Street 1023234	Renewal	OP	Lyceum Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
119	1/30/2019	244 West 56th Street 113628	Renewal	OP	Da Vinci Hotel	Da Vinci Hotel Corp	NC

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